

NEIGHBORHOOD COMMERCIAL REZONING STUDY



PROPOSED ZONING FRAMEWORK

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San Francisco (Calif.)
 Dept. of City Planning.
 Neighborhood commercial
 rezoning study :
 1982.

EXECUTIVE SUMMARY

This report describes a proposal to change current zoning standards for San Francisco's neighborhood commercial districts.

Zoning provisions currently in effect for San Francisco's neighborhood commercial districts were adopted by the Board of Supervisors in 1960 based on studies made by the Department of City Planning during the 1950s.

Land use patterns and the amount of land needed for various activities have changed during the last 20 years. These changes in land use necessitate a re-examination of existing zoning provisions. The urgency to comprehensively revise the Code is underscored by several proposed zoning reclassifications, the special use districts and various moratoria now in existence, as well as the number of individual projects requiring City Planning Commission review.

The proposal would replace the existing C-1, C-2, RC, CM and Special Use Districts with a new citywide zoning framework which would have the flexibility to address the needs of each neighborhood commercial district through the application of controls tailored to these districts.

This report illustrates different controls that would be available to each commercial district. Listed for each zoning category (such as parking, rear yard standards, upper story commercial uses, location of banks and savings and loans) are several control alternatives. At a later date, after public review of this report, controls best suited to individual districts would be selected from these lists of control alternatives and recommended to the City Planning Commission.

This report recommends that an abbreviated conditional use review process be instituted to facilitate permit processing in the neighborhood commercial districts. For the uses assigned this abbreviated procedure, a determination would be made by the Zoning Administrator subject to an appeal to the City Planning Commission. This would be used in a number of situations in place of the full conditional use process which requires a mandatory Commission appearance and usually takes a substantially longer time to complete.

For example, alternatives for the rear yard requirement of "25% of lot area or at least 15 feet" would be: 1) rear yard required at all levels; 2) rear yard required at grade level unless used for enclosed residential parking; required at second story and above; 3) rear yard required at grade level unless used for unenclosed residential parking; rear yard required at second story and above; 4) rear yard required at second story or at lowest floor occupied as a dwelling unit and above; and 5) rear yard required at lowest floor occupied as a dwelling unit and above. The alternative which would be applied to a specific street would depend on the characteristics of that street and its surroundings.

The alternatives for financial offices would be: 1) not permitted; 2) conditional (abbreviated procedure); and 3) permitted.

For example, on "A" Street, a hypothetical street with mixed residential-commercial development, partial lot coverage (75%), and rear yards abutting residential properties, rear yard alternative 2 ("provided at grade level unless used for enclosed residential parking; required at second story and above") would be appropriate. At the same time, "A" Street might have a large concentration of financial offices and require financial office alternative 2 ("conditional (abbreviated procedure)").

A second street, "B" Street, could have quite different development patterns, having full lot coverage without nearby residential uses. For this street, rear yard alternative 5 ("required at lowest floor occupied as a dwelling unit and above") would be appropriate. However, "B" Street might also show a large concentration of financial offices and require the same abbreviated conditional review process for financial offices as "A" Street.

Table 1, on the following page, is a sample application of these controls for all zoning categories for two hypothetical neighborhood commercial districts.

TABLE 1. SAMPLE APPLICATION OF PROPOSED CONTROLS TO TWO HYPOTHETICAL STREETS

Zoning Categories	A Street	B Street
BUILDING ENVELOPE		
Square Footage per Establishment	Up to 2,500 sq.ft. P 2,500-5,000 sq.ft. C(A) 5,001 + sq.ft. C	Up to 5,000 sq.ft. P 5,001-10,000 sq.ft. C(A) 10,001 + sq.ft. C
Height Standards	40 ft.	40 ft.
Rear Yards (25% of lot depth, but not less than 15 ft.)	Required at grade level unless used for enclosed parking; required at second floor and above.	Required at lowest floor occupied as a dwelling unit and above.
Open Space	Section 135.	Section 135.
Commercial Off-Street Parking	Section 151.	Section 151.
Residential Off-Street Parking	One space per 2 units.	One space per 4 units.
Institutional Off-Street Parking	Section 151.	Section 151.
Freight and Loading	Section 152, with proposed amendments.	Section 152, with proposed amendments.
Drive-up Facilities	NP	C(A)
Building Site & Appearance		
● Awnings	P	P
● Street Trees	Required for all new construction.	Required for all new construction.
Signs	Article 6.	Article 6.
VERTICAL MIX		
	Retail Office Resid.	Retail Office Resid.
Ground Story & Below	P P P	P P P
Second Story	P C(A) P	C(A) P P
Third Story	NP NP P	NP C(A) P
PERMITTED COMMERCIAL USES		
Eating & Drinking Establishments	Up to 20 estab.--P Above 20 estab.--C(A) (20=density threshold)	P

P = Permitted as a Principal Use C(A) = Conditional (Abbreviated Procedure) C = Conditional (Regular Procedure) NP = Not Permitted



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TABLE 1. (Continued)

Zoning Categories	A Street	B Street
PERMITTED COMMERCIAL USES (Continued)		
Entertainment		
● Movie Theater	P	P
● Amusement Entertain.	C(A)	P
● Adult Entertain.	NP	C(A)
Assembly	C(A)	P
Hotels & Motels	C(A)	P
Animal Services	C(A)	P
Automotive		
● Gas Only	P	P
● Gas; Accessory Minor Repair	C(A)	P
● Parking	C(A)	P
Laundering & Dry Cleaning		
● Automatic Laundry	P	P
● Off-Site Cleaning	P	P
● On-Site Cleaning	C(A)	P
Trade Shops	C(A)	P
Other Retail	P	P
PERMITTED COMMERCIAL OFFICES		
● Financial Offices	C(A)	P
● Other Offices	P	P
PERMITTED OTHER USES	NP	NP
PERMITTED MANUFACTURING & WHOLESALING	NP	NP
PERMITTED HOUSING		
Dwelling Density	1 dwelling unit per 600 sq.ft. of lot area.	1 dwelling unit per 400 sq.ft. of lot area.
Other Housing	C(A)	P
PERMITTED INSTITUTIONS		
● Hospitals	NP	C
● Schools & Churches	C(A)	C(A)

P = Permitted as a
Principal Use

C(A) = Conditional
(Abbreviated
Procedure)

C = Conditional
(Regular
Procedure)

NP = Not
Permitted

INTRODUCTION

This report presents the Department of City Planning (DCP) recommendations to update the City Planning Code text for neighborhood commercial districts.

To briefly summarize the contents, this report includes the following sections:

- 1) Overall Program Background, which re-acquaints the reader with the preceding Neighborhood Commercial Zoning Study and the current comprehensive rezoning effort to date.
- 2) Project Schedule, which presents the tentative schedule to convert the recommendations in this report into a comprehensive set of City Planning Code text and map amendments for neighborhood commercial districts.
- 3) Study Goals, Objectives, and Policies, which addresses the underlying goals, objectives, and policies of the Neighborhood Commercial Rezoning Study.
- 4) Permitted Uses and Approval Procedures, which details the recommendation to create an abbreviated conditional review procedure to facilitate permit processing in neighborhood commercial districts.
- 5) Zoning Categories and Controls, which describes the primary components of this proposal--the zoning categories and control alternatives--in more detail. Specifically addressed: why the control is necessary, how it has been regulated in the past, an evaluation of the present controls, the proposed zoning categories, and the proposed new range of control alternatives along with explanations of the planning reasons for how these controls might be applied in particular situations.
- 6) Amendments to the City Planning Code, which discusses the format changes and the text and map amendments necessary to incorporate the proposed rezoning framework into the City Planning Code.

SECTION 1

OVERALL PROGRAM BACKGROUND

Zoning provisions currently in effect for San Francisco's neighborhood commercial districts are the result of studies made by the DCP during the 1950s and were put into effect in 1960. The 1960 zoning ordinance is a traditional one, identifying and delineating district boundaries according to prevalent uses and describing permitted activities primarily in terms of uses.

During the last 20 years, land use patterns have shifted somewhat and the amount of land needed for various activities has changed as a result of both local and regional economic trends. At the same time, changes in local population, retailing techniques, and other economic and social factors have altered the character of many of the City's neighborhood shopping districts. These changes in land use and demand indicate that a re-examination and update of zoning provisions is now appropriate.

The passage of time and changes in land use during that time alone would warrant a re-examination of the Code. However, the urgency of the task is underscored by several proposed zoning reclassifications, the special use districts and various moratoria now in existence, as well as the number of individual projects requiring discretionary review before the City Planning Commission (CPC) and additional review by the Board of Permit Appeals.

In recent years, the potential trade areas of formerly local neighborhood commercial districts have broadened considerably, primarily as a result of increased automobile usage and improved public transit. This phenomenon in combination with changes in customer spending patterns has created new business opportunities, and many districts are now experiencing rapid economic growth.

In some cases, this economic revitalization has been rapid and disorganized, causing both merchants and residents to complain that their districts are losing their neighborhood orientation. The most commonly cited problems include increased noise and congestion caused by high concentrations of bars and restaurants, parking shortages, and a loss of neighborhood-oriented goods and services.

Evidence of local concern about neighborhood commercial issues emerged during the Residential Zoning Study, which was undertaken by the DCP from 1974 to 1978. However, the issues raised by neighborhood interest groups, although recognized, were not entirely resolved because the scope of the study was primarily limited to residential land use.

Residential use within neighborhood commercial districts was one issue addressed within the Residential Zoning Study. Many of the districts experiencing rapid growth in retail activity have also witnessed increased demand for upper story commercial space. As a result, many upper story residential units have been converted into commercial uses. In most cases, however, the conversions have been from residential to office use rather than to retail space. As the demand for office space has increased over the past 10 years,

particularly downtown, the conversion of neighborhood commercial residential units into offices has increased.

Groups seeking to preserve the supply of housing units by limiting future commercial expansion requested changes from C-1 and C-2 to RC-1 zoning in certain neighborhoods to make all commercial, retail, and office uses above the ground story subject to conditional use authorization by the CPC. This RC-1 zoning was adopted and put into effect on 24th Street in Noe Valley in November 1978. RC zoning was also initiated and put into effect on an interim basis in September 1978 for the Sacramento, Haight, Castro, Upper Market, Valencia and 24th Street-Mission districts, and in June 1979 for the Franklin-Gough corridor.

The RC-1 zoning classification is not entirely compatible with many of San Francisco's neighborhood commercial districts. It provides for a mixture of low density dwellings with certain commercial uses of a very limited nature. The commercial uses permitted are those in C-1 districts, located in or below the ground story only, and designed primarily for walk-in trade to meet the frequent and recurring needs of nearby residents. Automobile-oriented establishments are excluded.

The RC-1 classification provides an incomplete solution for the variety of problems arising in certain active neighborhood commercial districts. The RC-1 standards do not include commercial use size limitations, land use, or building design guidelines, or review certain commercial uses such as bars, restaurants, fast food establishments, off-sale liquor stores, dance halls, cabarets, places of entertainment, hotels, bath houses or financial offices.

As a result, neighborhood merchant and residential groups requested a prohibition on the issuance of permits for these types of sensitive commercial uses. In response, the Board of Supervisors initiated various moratoria as temporary holding actions and forwarded a request to the DCP to develop a comprehensive framework to address these neighborhood concerns.

The result of CPC and Board of Supervisors' actions in response to neighborhood requests is a complex zoning map with a maze of assorted neighborhood commercial district zonings: RC-1, C-1, C-2, C-2 with special use district overlays, C-2 with moratoria, and C-1 and C-2 with conditional use regulations. The neighborhood commercial districts as presently mapped do not present a coherent picture of consistent zoning classifications; nor do these rezoning efforts resolve all of the problems in these areas.

The Neighborhood Commercial Rezoning Study originated in response to the conditions described above. The principal objective of the study was to develop a citywide neighborhood commercial zoning framework with the flexibility to address the unique needs of individual districts.

However, in an effort to provide immediate relief from the more pressing trends in ten particularly active commercial districts, the DCP limited its initial consideration to a concentrated study of the Union Street neighborhood commercial district and developed a special use district overlay framework for this area in March 1979 (Union Street). Later that same year, the special use

concept was applied, with some revisions, to nine other neighborhoods: Sacramento, Upper Fillmore, Haight, Castro-Eureka Valley, Upper Market East, Upper Market West, 24th-Noe Valley, 24th-Mission, and Valencia Streets (Neighborhood Commercial Conservation and Development Study, October 1979).

Because of the complexities involved in initiating legislation for those ten neighborhoods, the long range objective to comprehensively address the neighborhood commercial rezoning issue was interrupted for nearly two years. The DCP staff has now resumed its consideration of neighborhood commercial districts in a comprehensive manner, and this report is the first in a series of efforts designed to accomplish this goal.

SECTION 2

PROJECT SCHEDULE

In the coming months, after public review of this report, the DCP will propose detailed text and map amendments to the City Planning Code for neighborhood commercial districts.

Detailed land use data have been collected for each block in all RC, C-1, C-2, and CM districts. Department staff will consult with neighborhood merchant and resident groups to consider the survey data, determine the boundaries for the individual neighborhood commercial districts, and recommend controls for each area. The Department plans to publish recommended regulations for each of the established districts beginning in April 1982.

A draft environmental impact report and an economic impact report will be issued prior to public hearings which are scheduled to begin in mid-July. These public hearings will continue as needed until October when the City Planning Commission is tentatively scheduled to initiate Code legislation. Individual property owners will receive legal notice prior to the beginning of the public hearings.

SECTION 3

STUDY GOALS, OBJECTIVES, AND POLICIES

Goals

The Neighborhood Commercial Rezoning Study has attempted to consider neighborhood commercial districts in a comprehensive manner, recognizing the full range of issues and problems. Although the principal focus of this phase has been limited to the overall zoning considerations, the primary goals of the Study itself are to:

- Develop a citywide neighborhood commercial zoning framework with the flexibility to address the individual needs of each district; and
- Implement the objectives and policies of the San Francisco Master Plan, especially those regarding neighborhood commercial districts.

Objectives and Policies

The objectives and policies for the Neighborhood Commercial Rezoning Study follow from those Master Plan objectives and policies relevant to neighborhood commercial districts. The principal objective of planning policies in these districts is to "maintain and strengthen viable neighborhood commercial districts readily accessible to city residents." The viability of neighborhood commercial districts depends on land use, economic and environmental factors. The land use considerations include the mix and intensity of uses and the overall physical scale of development. Environmental quality, including noise, traffic and parking, air quality, aesthetics and urban design, is directly related to the land use configurations. The land use and environmental factors affect the economic strength of the individual businesses and the neighborhood commercial districts as a whole via location; accessibility of patrons and suppliers; size, configuration and adequacy of space; and atmosphere and image generated by the physical design. The objectives and policies which address the land use, economic, and environmental quality issues are as follows:

Objective 1

Maintain and strengthen viable neighborhood commercial districts by keeping them readily accessible to city residents.

- Promote the multiple use of neighborhood commercial districts, giving priority to neighborhood-serving retail and service activities;
- Provide opportunity for growth in the business community;
- Retain adequate storefront space for a balanced mix of uses; and
- Regulate the location, distribution, and proliferation of certain uses which compete with neighborhood-serving uses and threaten the balance of uses.

Objective 2

Maintain a complementary mix of residential and commercial uses traditional to neighborhood commercial districts.

- Ensure the compatibility of neighborhood commercial uses with the surrounding residential community; and
- Preserve existing housing units and encourage new residential development where feasible.

Objective 3

Protect environmental quality in neighborhood commercial districts. Promote physical design which enhances business climate.

- Preserve the existing scale of development;
- Prohibit an overconcentration of any commercial use which would restrict space available for necessary goods and services;
- Control the nuisances associated with the proliferation of certain uses (e.g. noise, traffic congestion, and parking congestion) and protect the surrounding residential areas from such nuisances;
- Encourage a transit first policy;
- Encourage commercial uses, such as professional offices, which do not require ground floor window displays to locate upstairs, maintaining a balance with residential units; and
- Retain and enhance aesthetic visual appearance in neighborhood commercial districts.

Detailed objectives and policies appear in the remaining sections of this report as they relate to specific controls. Please consult your City Planning Code when this report references specific Code sections, particularly with respect to how the proposed zoning categories have been controlled in the past. A copy of the City Planning Code is available for public review at the DCP Zoning Counter, 100 Larkin Street; the DCP Plans and Programs Information Counter, 450 McAllister Street, 4th Floor; and at all Public Library branch locations, during regular business hours.

SECTION 4

PERMITTED USES AND APPROVAL PROCEDURES

How permitted uses and approval procedures are currently regulated

The following is a list of permitted uses and approval procedures currently used by the Department of City Planning:

Permitted as a principal use

Permitted as of right in each established district where listed for that class of districts in Article 2 of the Code, and as regulated in Article 2 and elsewhere in the Code.

Permits for uses having this approval designation are routinely approved by the Department of City Planning staff with authorization by the Zoning Administrator.

Not Permitted

Uses which are not specifically permitted as principal, conditional or accessory uses are prohibited.

Permits which are not permitted are disapproved by Department of City Planning staff with authorization by the Zoning Administrator.

Conditional use review

The approval procedure for conditional use authorization is defined and described in Code Section 303. It requires a hearing before the CPC and a determination that certain conditions [specified in Code Section 303(c)] are met. The CPC may prescribe additional conditions which "are, in its opinion, necessary to secure the objectives of the Code" [Section 303(d)].

Special use review

Code Section 312 defines and describes the approval procedure for the authorization of special uses in ten neighborhood commercial special use districts. It provides for determination by either the Zoning Administrator or the CPC subject to conditions. Some of these conditions are codified in Code Section 312(d)3. Others have been adopted as Guidelines by the CPC [Section 312(d)2], while still other conditions may be prescribed on a case by case basis.

Guidelines

Guidelines for review of financial offices in certain areas of the city were adopted as Department policy (but not incorporated into the Code) by the CPC in Resolution 7422, 18 December 1975. Guidelines for review of fast food facilities throughout the city were adopted by the CPC in Resolution 7541, 12 August 1976.

These guidelines provide formal criteria to be used by the DCP and CPC in determining the location and design of these uses.

Discretionary review

In addition, the City Planning Commission has the authority to conduct discretionary reviews of building permit applications under a power vested in the Commission by the Charter and the Municipal Code. The power is exercised in cases in which the proposed development meets the literal requirements of the City Planning Code but may nevertheless have serious detrimental effects. When discretionary review is exercised, the building permit application is brought to the Commission by the staff of the Department of City Planning, and the Commission may either approve the application, approve the application with conditions, or disapprove the application.

Temporary moratoria

Moratoria have been initiated by the Board of Supervisors on a street by street basis as a means to prohibit the issuance of permits for certain sensitive commercial uses in neighborhood commercial districts (such as bars, restaurants, and financial offices). The Department of City Planning does not accept or review permit applications for uses prohibited by moratoria.

Evaluation of current controls

Conditional use review

The conditional use review process provides a regularized and orderly means to accept and process permit applications. However, a considerable length of time is required to process, review, and determine a simple neighborhood commercial conditional use permit application, primarily because of the time required to calendar cases for CPC hearing.

In addition, the criteria and requirements set forth in Section 303 are not specific as to use. They apply to all conditional uses in all zoning classifications. The CPC can impose additional requirements which are more specific on a case by case basis. However, these are not codified, though used regularly for review.

Special use review

The special use review process does respond in part to the need for a modified zoning procedure as it provides for an abbreviated review process with determination being made by the Zoning Administrator. In addition, the criteria for determining each special use are codified by zoning category (e.g. criteria for approving bars or for approving hotels).

However, the special use procedure is limited to only certain commercial uses in 10 neighborhood commercial districts on an interim basis (expiring 10-82).

The definitions of some of the special use zoning categories set forth in Section 312 create problems with interpretation and enforcement of this section of the Code.

Guidelines

The financial office and fast food guidelines do provide criteria for review of applications for these uses in certain neighborhood commercial districts. However, these guidelines are limited in scope and detail.

Because these guidelines are not codified, there is some neighborhood concern that they may not always be used or enforced in review of the permit applications for these uses.

Discretionary review

The discretionary review process has been criticized by some business and community groups as being an unpredictable process without standard conditions and criteria for review.

Control alternatives for "Permitted Uses" and "Approval Procedures"

Permitted as a principal use

Permitted as of right where listed for a specific use in an established neighborhood commercial district.

No change is proposed for the current principal use approval process. However, new conditions for the approval of certain commercial uses would be established (such as noise, fume and acoustic controls for trade shops, auto uses and dry cleaning establishments).

Not Permitted

Uses which are not specifically permitted as principal, conditional, or accessory uses are prohibited.

No change proposed to the current disapproval process.

Conditional review (abbreviated procedure)

An abbreviated conditional use procedure is recommended to be established which would allow review and determination by the Zoning Administrator subject to appeal to the CPC within 10 days. Appeal of the Zoning Administrator's decision could be made by a merchant or resident organization, an owner or lessor of contiguous property, or 10 owners and/or lessors of property within 100 feet of the subject property. The case would then be heard and decided by the CPC.

This procedure would facilitate the processing of the non-controversial permits keeping the Commission calendar free of cases which could be handled administratively within the DCP. This abbreviated conditional review would be used in a number of situations in place of the existing conditional use process which usually takes a substantially longer time to complete.

Specific criteria and guidelines would be employed in both the existing and proposed abbreviated conditional use review.

Conditional review (regular procedure)

Conditional review is recommended to be retained as set forth in Section 303 and applied to uses permitted by conditional use in established neighborhood commercial districts.

Guidelines

The proposal under study includes recommendations to revise and consolidate all criteria and guidelines. These recommendations are still under review and are forthcoming.

Discretionary review

The proposal includes recommendations for additions and modifications to the Code which could possibly decrease the number of cases coming before the CPC with requests for discretionary review. For example, eating and drinking establishments are currently not identified or regulated in the Code. Therefore, these discretionary cases come to the CPC as the only means for review. The current proposal includes eating and drinking establishments as a zoning category which would regulate the review of these permit applications as conditional uses with either regular or abbreviated procedures.

Application of control alternatives

Permitted as a principal use

This review procedure would apply to all principal permitted uses in established neighborhood commercial districts.

Not permitted

Uses which are not specifically permitted as principal, conditional or accessory uses are prohibited.

In current Code Section 215-227 the designation is a blank space. For convenience, this report lists many such uses as not permitted (NP).

Conditional review (abbreviated procedure)

This review procedure would apply to all permitted abbreviated conditional uses in established neighborhood commercial districts. Abbreviated conditional review would be established when specific criteria could be developed for consideration in review and determination of permit applications.

Conditional review (regular procedure)

The conditional review process would be applied to uses which are determined to warrant review by the CPC in all cases (e.g. adult entertainment establishments or hospitals).

Guidelines

The proposal to revise guidelines is forthcoming.

Discretionary review

The need for discretionary review would be reduced as a result of revised and expanded guidelines and conditional review procedures.

SECTION 5

CATEGORIES AND CONTROLS

The following is a complete list of the proposed zoning categories for neighborhood commercial districts:

BUILDING ENVELOPE

- Square Footage per Establishment
- Height Standards
- Rear Yards
- Open Space
- Commercial Off-Street Parking
- Residential Off-Street Parking
- Institutional Off-Street Parking
- Freight & Loading
- Drive-Up Facilities
- Building and Site Appearance
- Signs

VERTICAL MIX

- Ground Story and Below
- Second Story
- Third Story and Above

PERMITTED COMMERCIAL USES

- Eating and Drinking Establishments
- Entertainment
- Assembly
- Hotels and Motels
- Animal Services
- Automotive
- Laundering and Cleaning
- Trade Shops
- Other Retail Sales and Personal Services

PERMITTED COMMERCIAL OFFICES

- Financial Offices
- Other Offices

PERMITTED OTHER USES

PERMITTED MANUFACTURING AND WHOLESALING

Proposed Zoning Categories (Continued)

PERMITTED HOUSING

- Dwelling Density
- Other Housing

PERMITTED INSTITUTIONS

- Hospitals and Medical Centers
- Schools
- Churches and Philanthropic Societies

Each one of these proposed zoning categories is described and outlined in this section along with its range of control alternatives. Examples are also given as to how these alternatives might be applied to particular districts.

BUILDING ENVELOPE

SQUARE FOOTAGE PER ESTABLISHMENT

This control is designed to regulate the maximum size of each individual commercial use or business establishment within the building envelope. This size standard applies to the individual commercial "use", not the entire building in which the use is housed. For example, one building could include two or more commercial uses, but each of these uses would have to conform to the use dimensions assigned to that neighborhood commercial district.

Why control is necessary

The control of the size of uses in neighborhood commercial districts is necessary to:

- Preserve the existing scale of development in commercial districts;
- Assure future construction is compatible with the existing scale of development;
- Prevent further traffic and congestion resulting from larger scale uses; and
- Assist in the preservation of storefronts for local serving businesses, sometimes displaced in the competition for commercial space by larger retail uses.

How the size of commercial uses is currently regulated

C-1, C-2, RC, and CM classifications do not provide control standards for regulating maximum lot or use size. The general Code provisions include standards only for minimum lot dimensions, citywide.

In recent years, the shift in retail marketing techniques has brought large scale retail chain storefronts into certain neighborhoods (e.g. Pier One, Record Factory, etc.). Both merchants and residents, objecting to this large scale business activity, requested scale limitations to regulate the size and capacity of storefronts in certain areas of the city (Neighborhood Commercial Conservation and Development, October 1979). These scale limitations are one component of the special use district overlays initiated for ten neighborhoods in 1980, and recently extended in October 1981, for one year.

Evaluation of current controls

Recent neighborhood concern to preserve a local scale of development in neighborhood commercial districts, DCP studies, and responding action by the Board of Supervisors and CPC demonstrate the need to revise the current C-1, C-2, RC and CM standards to address use dimensions.

The special use district overlays do respond to this need for additional controls by imposing a square footage threshold and a linear frontage threshold. The experience in applying these controls over the past 18 months has led the staff to conclude that only square footage controls (and not linear frontage controls) are needed to preserve an appropriate scale of development. Linear frontage controls have proved to be difficult to administer due to problems with the definition of what constitutes a storefront when there are multiple uses within.

Control alternatives for "Square Footage per Establishment"

Alternative 1.	Up to 2,500 sq.ft.	- Permitted
	2,501-5,000 sq.ft.	- Conditional (abbreviated procedure)
	5,001 + sq.ft.	- Conditional (regular procedure)
Alternative 2.	Up to 5,000 sq.ft.	- Permitted
	5,001-10,000 sq.ft.	- Conditional (abbreviated procedure)
	10,001 + sq.ft.	- Conditional (regular procedure)
Alternative 3.	Up to 10,000 sq.ft.	- Permitted
	10,001-25,000 sq.ft.	- Conditional (abbreviated procedure)
	25,001+ sq.ft.	- Conditional (regular procedure)

Application of control alternatives

Scale limitations establishing square footage per commercial establishment would be applied to reflect the existing land use, including lot and block patterns, average size storefronts, transit access, and future development potential in neighborhood commercial districts.

The recommendation for commercial use dimension controls in both the small, local serving neighborhood commercial district and the traditional linear commercial strip could be alternative 1 ("up to 2,500 sq.ft. - permitted; 2,501-5,000 sq.ft. - conditional use (abbreviated procedure); and 5,001 + sq.ft. - conditional use (regular procedure). This control would allow maximum development potential of the average available lot (25 X 100), and opportunity for expansion within the abbreviated conditional and the regular conditional use review process. This review process would consider scale and design of use, and traffic and congestion problems, in addition to type of proposed use and service potential to the community.

Certain large scale neighborhood commercial districts, serving as major transit corridors, with good auto access, ample parking facilities, and the capacity to accommodate larger scale uses could receive control alternative 2 ("up to 5,000 sq.ft. - permitted; 5,001-10,000 sq.ft. - conditional use (abbreviated procedure); and 10,001 + sq.ft. - conditional use (regular procedure).

In heavy commercial districts designed to accommodate wholesaling and business services, with some light manufacturing and processing, the recommendation could be for a somewhat less restrictive control, perhaps alternative 3 ("up to 10,000 sq.ft. - permitted; 10,001-25,000 sq.ft. - conditional use (abbreviated procedure); and 25,001 + sq.ft. - conditional use (regular procedure).

HEIGHT STANDARDS

No substantial changes are contemplated.

REAR YARDS

Why control is necessary

The control for rear yard use in neighborhood commercial districts is necessary to:

- Regulate potential commercial building envelope;
- Provide adequate buffering where commercial property abuts residential rear yards;
- Preserve open space corridors;
- Provide usable open space; and
- Encourage mixed-use construction, providing an option to use rear yards for residential parking requirement.

How rear yards are currently regulated

Rear yards are required only at levels of residential occupancy and above, in C-1, C-2, CM, and RC-2, 3, 4 districts (Code Section 134).

Rear yards are required at grade level and above, regardless of occupancy, in RC-1 districts (Code Section 134).

Evaluation of current controls

Traditional development in neighborhood commercial districts has been with mixed-use (residential-commercial) buildings that had grade level rear yards. However, recent development patterns have changed as a result of increased demands for commercial space, the limited commercial land available for development, and the increasing costs for this land as well as new construction. Development is geared to maximize the potential building envelope permitted under current zoning standards.

Current Code standards for commercial districts require rear yards only at levels of residential occupancy. Because most development does not include ground floor residential, there are few rear yard proposals in new project plans.

The loss of the rear yard and open space corridor in new development has alarmed many residents adjacent to neighborhood commercial districts who complain current C-1 and C-2 standards are too permissive. Their concern has been expressed in recent requests for RC-1 zoning reclassifications as the means to take advantage of the RC-1 requirement for grade level rear yards regardless

of occupancy. There have also been requests to include grade level rear yard controls in the special use district overlays. However, both the RC requests and the Special Use overlays address the issue in a piecemeal fashion, reviewing only those neighborhoods that request the reclassification or additional controls.

Control alternatives for "Rear Yards"

The rear yard requirement of 25% of lot depth, but not less than 15 feet would be applied as follows:

1. Provided at grade level with no exceptions; no obstruction permitted in yard, open to sky;
2. Provided at grade level unless used for enclosed residential parking; required at second story and above;
3. Required at grade level unless used for unenclosed residential parking; required at second story and above;
4. Required at second story or at lowest floor occupied as a dwelling unit and above; and
5. Required at lowest floor occupied as a dwelling unit and above.

Application of control alternatives

The rear yard controls would be applied to neighborhood commercial districts after consideration of lot sizes, average building envelopes, available open space, abutting property uses, and parking (both on and off-street).

Certain neighborhood commercial districts and adjacent areas are characterized by small scale development, narrow streets, small scale residential (single-family dwellings for the most part), and building envelopes which include rear yards creating mid-block open space corridors. To preserve the existing scale of development, a recommendation in these districts could be made for alternative 1 ("rear yard required at grade level with no exceptions; no obstruction permitted in yard, open to sky").

In neighborhood commercial districts currently constrained by small building envelopes, but exhibiting the capacity to accommodate new dwelling units and having good transit access, available open space, a balanced range of retail sales and services, and a more intense level of residential density, a recommendation could be made to encourage new mixed-use construction with alternative 2 ("rear yard required at grade level unless used for enclosed residential parking; required at second story and above").

Consideration for application of control alternative 3 ("required at grade level unless used for unenclosed parking but always at second level") would be based on abutting property uses, the scale of development, the impact on the adjacent properties, and the proposed building envelope.

In neighborhood commercial districts which abut only other commercial districts and have full (or almost full) lot development, the use of the rear yard for commercial or parking would not create a negative impact on adjacent properties. Therefore, the appropriate control would be alternative 5 ("required at lowest floor occupied as a dwelling unit and above").

OPEN SPACE

No substantial changes have been proposed thusfar for open space. These requirements are regulated in current Code Section 135.

COMMERCIAL OFF-STREET PARKING

Section 151, Table 4, of the Code lists the current off-street parking requirements. These requirements and district needs are under consideration for possible revisions to the Code.

RESIDENTIAL OFF-STREET PARKING

Why controls are necessary

Controls for residential off-street parking are necessary to:

- Provide private vehicles with adequate parking in residential structures;
- Control the adverse impacts of crowded on-street parking congestion;
- Discourage excessive amounts of parking in neighborhood commercial districts; and
- Encourage transit first policy.

How residential off-street parking is currently regulated

Code Section 151, Table 4, of the Code lists the off-street parking spaces required for dwelling units in commercial districts. Generally, one space is required for each dwelling unit.

Evaluation of current controls

Current off-street parking requirements for dwelling units in neighborhood commercial districts discourage the construction of new housing units on the standard 25 X 100 ft. lot because a mixed-use (residential over commercial) building requires 10 feet of linear commercial frontage for on-street access to the required parking place and 5 feet of frontage for residential lobby access. Therefore, regardless of the number of residential units proposed and/or

the ability to use rear yards, one required parking space would reduce the usable commercial frontage to 10 feet except on large or corner lots.

However, on this same standard 25 X 100 ft. lot in the same neighborhood, a developer could build up to 5,000 square feet of commercial space (a two-story commercial building, with no rear yard, barring restrictions on upper story uses) without having to provide any off-street parking. In neighborhood commercial districts with upper story commercial use restrictions, the added parking requirements for residential units would most likely result in one-story commercial development. This commercial development is more attractive to the developer for a variety of reasons: the property value of a commercial building with full coverage at the ground floor is greater; the rent potential of a commercial unit is greater; and the developer does not have to lose ground floor commercial space to provide off-street parking or seek a parking variance to build residential units.

On corner or larger city lots (50 X 100 + ft.), the ability to meet the current off-street parking standards becomes more feasible. However, given the required on-street access to parking spaces and upper story units, the available commercial frontage of mid-block lots is always reduced.

In light of the above discussion, residential off-street parking controls should be re-evaluated and designed to encourage more housing construction in neighborhood commercial districts.

Control alternatives for "Residential Off-Street Parking"

1. One parking space required for every dwelling unit;
2. One parking space required for every two dwelling units;
3. One parking space required for every three dwelling units;
4. One parking space required for every four dwelling units;
5. No parking required up to two dwelling units; and
6. No parking required up to four dwelling units.

Application of control alternatives

Neighborhood commercial districts with good citywide transit access, typical lot dimensions of 25 X 100 ft., study data revealing high transit use to and from work, and residents shopping primarily on the commercial strip would be reviewed for the parking standards described in either alternative 4, 5, or 6 ("4. one parking space per 4 dwelling units", "5. no parking required up to two dwelling units", "6. no parking required up to four dwelling units").

Recommendations for residential off-street parking requirements would become more restrictive in districts which are further removed from convenient transit corridors and where residents rely more on private transportation to travel throughout the city. For example, neighborhoods with small lot patterns, but poor transit access, little available parking, limited commercial services available, and low-scale residential development in the surrounding community could require standards much like the current controls, alternative 1 ("one parking space for every dwelling unit").

In neighborhood commercial districts with large lot dimensions, very good transit access, a wide array of shopping services, and large-scale residential development in the surrounding community, consideration could be given to encouraging that off-street parking be provided on lots having the capability to accommodate those spaces and at the same time, provide viable ground floor commercial space.

INSTITUTIONAL OFF-STREET PARKING

No changes have been proposed for institutional off-street parking. These requirements are regulated in the current Code Section 151, Table 4.

FREIGHT AND LOADING

Why control is needed

The control of freight and loading in neighborhood commercial districts is necessary to:

- Assure that sufficient freight and loading spaces are provided by commercial establishments; and
- Regulate the traffic circulation patterns on commercial streets to discourage trucks and vehicles from double-parking during loading and unloading.

How freight and loading is currently regulated

Freight and loading spaces are controlled in the Code under Article 1.5, Section 152.

Evaluation of current controls

Current controls for freight and loading are designed primarily for the larger scale retail, wholesaling, and manufacturing uses. The Code does not address the freight and loading problems associated with the smaller commercial uses (those less than 10,000 sq.ft.) usually found in the neighborhood commercial districts. The most serious problem is that in fully developed neighborhood commercial districts suitable space to locate a loading dock is not available on the street frontage and most districts do not have alleys for rear yard access.

Control alternatives and applications for "Freight and Loading"

A revised schedule of required off-street freight and loading service vehicle spaces is currently under consideration by the DCP based on consultant recommendations. The standards proposed by staff for neighborhood commercial districts are summarized below. These standards could be applied in one of two

ways: 1) They could be listed as a requirement of the Code, subject to variance; or 2) They could be in the form of requirements stated as conditions to be employed for conditional uses (both regular or abbreviated) exceeding square footage limitations. The following standards are grouped by type of use.

Offices and banks

- 0.1 space per 10,000 square feet of gross floor area (to the closest whole number with fraction of one-half or more adjusted to the next highest whole number).

Restaurants, bars, and drug stores

- For uses under 5,000 square feet of gross floor area: no off-street freight and service loading vehicle spaces required.
- For uses over 6,000 square feet of gross floor area: 1.7 spaces per 10,000 square feet of gross floor area (to the closest whole number with fraction of one-half or more adjusted to the next highest whole number).

Retail stores, wholesaling, manufacturing, and all other uses primarily engaged in handling goods

- For uses with less than 10,000 square feet of gross floor area: no off-street freight and service loading vehicle spaces required.
- For uses with 10,001-50,000 square feet of gross floor area: 1.0 off-street space required.
- For uses over 50,000 square feet of gross floor area: .21 spaces per 10,000 square feet of gross floor area (to the closest whole number with fraction of one-half or more adjusted to the next higher whole number).

Hotels, apartments, and all other uses not included above

- For uses with less than 100,000 square feet of gross floor area: no off-street freight and service loading vehicle spaces required.
- For uses over 100,000 square feet of gross floor area: 1.0 off street space required.

DRIVE-UP FACILITIES

Why control is needed

The control of drive-up facilities is necessary to regulate traffic and congestion problems associated with these types of uses in neighborhood commercial districts.

How drive-up facilities are currently regulated

Current C-1 and C-2 standards permit drive-up facilities in "Neighborhood Shopping", "Neighborhood Business", and "Heavy Commercial" districts.

Recent special use district overlays for ten sensitive neighborhood commercial districts include controls prohibiting drive-up facilities as part of the "General Characteristic" component.

RC-1 controls drive-up facilities in Section 209.8(a) of the Code as follows:

"Retail, personal service or other commercial establishment permitted as a principal use in C-1 district which is located within or below the ground story of a building; excluding any establishment designed primarily for customers arriving at that establishment by private motor vehicle."

Evaluation of current controls

Recent neighborhood requests for special controls prohibiting drive-up facilities demonstrate the need to revise current C-1 and C-2 standards.

RC-1 standards do provide controls prohibiting drive-up facilities. However, the language is vague, including "any establishment designed primarily for customers arriving at that establishment by private motor vehicle". This language has proved to be inadequate in handling these types of uses.

The special use controls prohibiting drive-up facilities in ten neighborhood commercial districts have been successfully implemented over the past 18 months.

Control alternatives for "Drive-Up Facilities"

1. Not permitted; and
2. Conditional (abbreviated procedure).

Application of control alternatives

In neighborhood commercial districts served by major transit corridors with four or more lanes (at least two in each direction), the recommendation could be made to permit drive-up facilities by conditional use (abbreviated procedure). This conditional use determination would be based on a consideration of auto access, design of the drive-up use, circulation patterns, and potential disturbance to the continuity of retail frontage.

In all other neighborhoods, the limited small-scale commercial type and the traditional linear, mixed residential-commercial type (having only two lanes), the recommendation would be to prohibit drive-up facilities. These uses have been long associated with traffic and congestion problems for both the residential and business community.

BUILDING AND SITE APPEARANCE

Why control is needed

The control of building and site appearance in neighborhood commercial districts is necessary to:

- Regulate nuisances associated with exterior mechanical equipment such as vents, air conditioners, exhausts, fans, refrigeration systems, odor filters, or scrubbers to ensure compatibility with abutting residential properties;
- Retain aesthetic visual appearance in neighborhood commercial districts by regulating the placement of security grates, fire escapes, and awnings on the commercial frontage;
- Prohibit the obstruction of sidewalks for display or advertising purposes; and
- Guide the future development of new and existing buildings, landscaping of parking facilities and outdoor areas.

How building and site appearance are currently regulated

Code provisions

The Code includes the following provisions for building and site appearance:

- Article 1.2 defines general provisions for building and site appearance (such as bay windows, balconies, etc.); and
- Awnings are principal permitted uses in C districts and not permitted in RC districts.

Guidelines

Interim guidelines for all new or expanded uses have been approved for 10 neighborhood commercial special use districts as follows:

- Guidelines for new and existing buildings;
- Guidelines for the landscaping of parking facilities; and
- Guidelines for outdoor areas.

Discretionary review

In addition discretionary review has been used to review the appearance of individual buildings on a case by case basis.

Evaluation of current controls

Code provisions

Current code provisions do not regulate exterior mechanical equipment on commercial buildings adjacent to residential districts. Additional

provisions should be codified to include standards to regulate the placement of exterior mechanical equipment (such as vents, air conditioners, exhausts, fans, refrigerator systems, odor filters, and scrubbers) and determine the placement of security grates and fire escapes. These amendments should be incorporated into the Building Code as well as the Planning Code.

Awnings should be permitted uses in all neighborhood commercial districts.

Guidelines

Guidelines for 10 neighborhood commercial special use districts are being evaluated for their effectiveness and ease of application. Possible codification of quantifiable criteria is being assessed and recommendations are forthcoming.

Discretionary review

The discretionary review process has been criticized by some business and community groups as being an unpredictable process without standard conditions and criteria for review.

Control alternatives and applications for "Building and Site Appearance"

Code

- Rooftop features
Section 141, "Screening of Rooftop Features," would be revised as follows: "All exterior mechanical equipment such as vents, air conditioners, exhausts, fans, refrigeration systems, odor filters, or scrubbers, etc., shall be installed at the point which is furthest from contiguous residential property. In general, this will be on the roof of the building at the commercial frontage. Such equipment shall be placed above the line of sight and masked by architectural elements appropriate to the design of the building in question." This provision would apply to all neighborhood commercial districts and should also be included in the Building Code.
- Awnings
 1. Permitted uses in all neighborhood commercial districts.
- Gratings, fire escapes
 1. Permitted uses in all neighborhood commercial districts, subject to conditions.
- Sidewalk obstructions
 1. Not permitted in any neighborhood commercial district.
- Street trees
 1. Require street trees on same basis as residential areas (Code Section 143) and for all new construction.

Guidelines

- Guidelines for new and existing buildings, landscaping of parking facilities and outdoor areas, including specific criteria, are currently under study and could be approved by the CPC to be applied generally to all neighborhood commercial districts.

Discretionary review

- o Discretionary review would continued to be used on a limited basis to review the appearance of individual buildings on a case by case basis. Recommendations for additions and modifications to the Code could decrease the number of cases coming before the CPC for discretionary review.

SIGNS

Why control is needed

The control of signs is necessary in neighborhood commercial districts to:

- Ensure compatibility and conformity of signs with the existing scale of development, business character, and pedestrian orientation of each individual retail shopping district;

How signs are currently regulated

Signs are permitted uses in C-1, C-2 and CM districts as listed in Article 6 of the Code. However, signs are not permitted in RC-1 districts.

Evaluation of current controls

Additional review is necessary in order to make a proper evaluation of Article 6. A study of this section of the code and its relation to neighborhood commercial districts is currently underway.

Control alternatives and applications for "Signs"

More information will be necessary to make proper recommendations to revise Article 6 of the Code.

VERTICAL MIX

Why control is necessary

The control of upper story commercial uses in neighborhood commercial districts is necessary to:

- Regulate commercial building envelope density;
- Preserve existing housing units in neighborhood commercial districts, yet accommodate some commercial growth in certain areas; and
- Encourage future mixed (residential-commercial) use building development in neighborhood commercial districts.

How upper story commercial use is currently regulated

The current C-1, C-2 and CM code standards permit full commercial development (within the permitted building envelope).

RC-1 standards control upper story commercial uses in Section 209.8(b) as follows:

Permitted by Conditional Use in RC-1 districts:

- (b) Retail, personal service, or other commercial establishment permitted as a principle use in C-1 district, which is located in a building above the ground story; excluding any establishment designed primarily for customers arriving at that establishment by private motor vehicle.

Recent special use overlays for ten sensitive neighborhood commercial districts include a vertical component controlling upper story commercial use by establishing standards on a floor by floor basis in each neighborhood.

Evaluation of current controls

Recent requests for RC-1 reclassifications and special use control overlays suggest the inadequacy of current C-1 and C-2 zoning classifications with respect to upper story uses controls.

Special use controls were designed as a temporary measure to alleviate the problems in ten sensitive areas until completion of the overall neighborhood commercial rezoning study. The vertical component has been designed to accommodate the individual characteristics of each neighborhood commercial district and also consider each building application on a floor by floor basis. The special use process includes specific criteria to review an application for upper story commercial use.

RC-1 standards do include controls for upper story commercial use. All commercial uses above the ground floor require conditional use review.

However, there are certain problems and limitations with the RC-1 classification, some with respect to upper story controls; others related to building envelope and commercial standards. These RC-1 standards may not be appropriate

for all neighborhood commercial districts. Some of the reasons the RC designation is problematic are:

- RC-1 standards group all upper stories together in the requirement for conditional review with no differentiation between controls for second story, third story, and above;
- RC-1 consists of a standard set of controls which are the same for all RC-1 districts. Applying RC-1 to all districts would not provide flexibility to tailor controls on a district by district basis;
- The RC-1 conditional use review process does not include any standard criteria to review the upper story commercial use applications;
- There is no distinction made between existing buildings and new building applications; and
- RC-1 permits only C-1 uses and prohibits signs and awnings.

Control alternatives for "Vertical Mix"

The control alternatives of 1) Permitted (P), 2) Conditional (abbreviated procedure) C(A), and 3) Not permitted (NP), can be specifically tailored on a street by street basis; for example:

	<u>Maple Street</u>	<u>Elm Street</u>	<u>Any Street</u>
a) Ground floor and below			
Retail	P	P	P
Office	P	P	P
Residential	P	P	P
b) Second floor			
Retail	P	NP	NP
Office	P	C(A)	P
Residential	P	P	P
c) Third floor and above			
Retail	P	NP	NP
Office	P	NP	NP
Residential	P	P	P

Application of control alternatives

The application of upper story commercial use controls would be individually tailored to the needs of each neighborhood commercial district. The preservation of existing housing units is an important concern, as these units represent an irreplaceable housing source in San Francisco. The vertical mix controls could be used to regulate the conversion of existing dwelling units to commercial use, on a floor by floor basis, in each neighborhood commercial district.

The abbreviated conditional use review process would include specific land use criteria by which to standardize and regulate the consideration of upper story commercial use applications. Such criteria would address situations involving conversion of existing buildings as well as new construction.

PERMITTED COMMERCIAL USES

EATING AND DRINKING ESTABLISHMENTS

Why control is necessary

The control of eating and drinking establishments in neighborhood commercial districts is necessary to:

- Regulate the distribution, location, and proliferation of bars, restaurants, fast food establishments, and off-sale liquor stores in neighborhood commercial districts undergoing increased levels of commercial activity;
- Control the concomittant nuisances associated with the proliferation of eating and drinking establishments in neighborhood commercial districts, such as noise, traffic, congestion, and increased late night activity;
- Assist in the preservation of storefronts for local serving businesses, sometimes displaced in the competition for commercial space; and
- Maintain a balanced mix of commercial retail goods and services and to ensure that additional eating and drinking establishments would not threaten the neighborhood orientation of the commercial district.

How eating and drinking establishments are currently regulated

C-1, C-2, RC, and CM classifications do not provide standards to regulate the inventory, operation, or review process of eating and drinking establishments in neighborhood commercial districts.

As a result of recent rapid growth in the number of bars and restaurants in certain neighborhood commercial districts, neighborhood groups requested that the Board of Supervisors initiate more restrictive controls for these establishments. The Board of Supervisors acted to approve temporary moratoria in certain sensitive commercial districts prohibiting the issuance of new ABC, Police, and Health Department permits until the DCP could complete a study and propose comprehensive legislation.

In response to this request from the Board of Supervisors, the DCP developed the special use district framework including standards to regulate the density and review process of ten commercial uses (bars, restaurants, fast food establishments, off-sale liquor stores, places of entertainment, dance halls, cabarets, hotels, bath houses and financial offices) in ten neighborhood commercial districts.

These special use overlays were initiated as interim holding actions until a comprehensive citywide rezoning study could be completed.

Evaluation of current controls

Recent neighborhood concern over the proliferation of eating and drinking establishments and responding actions by the CPC and Board of Supervisors demonstrate the need to revise the current C-1, C-2, RC, and CM standards.

The special use district overlay does respond to this need for additional controls. The framework provides a regularized process to review eating and drinking establishment permits after a density threshold is reached. For the past 18 months, the Special Use controls have been successfully implemented in ten neighborhood commercial districts, with the exception of minor problems related to definitions. The current special use definitions are not identical to those used by the permit issuing agencies (ABC, Police and Health Departments). Therefore, the DCP is not able to monitor all new uses and changes of use required to fully implement the special use district framework. To resolve this problem staff recommends consolidation of all sub-categories (bars, restaurants, fast food outlets and liquor stores) under one heading, eating and drinking establishments, with one density threshold.

The special use district framework could be applied to additional neighborhood commercial districts, though not all districts are subject to sufficient pressure to warrant such a detailed network of controls. Therefore, it is recommended that the density threshold controls be incorporated into the proposed zoning changes for districts warranting such detailed controls. Eating and drinking establishments would be identified as a land use category with a range of control options which could be tailored and applied to the individual needs of each district.

Control alternatives for "Eating and Drinking Establishments"

1. Conditional (abbreviated procedure);
2. Permitted up to density threshold;
Conditional (abbreviated procedure) above density threshold;
(The density threshold would be defined as the number of principal permitted establishments in any given district, and would be determined on a district by district basis. Once the number of establishments in a district reached the density threshold, additional establishments would be permitted as abbreviated conditional uses.) and
3. Permitted.

Application of control alternatives

The controls for eating and drinking establishments could be tailored to respond to the individual needs of each neighborhood commercial district. Commercial land use standards, such as the balance of available retail sales and personal services, current inventory of eating and drinking establishments, total available linear commercial frontage, the abutting property uses, impacts on the community, congestion, and parking facilities would assist in the determination of assigning appropriate controls, including density thresholds where appropriate, for eating and drinking establishments in individual neighborhood commercial districts.

In the small corner or cluster commercial district designed primarily for the daily shopping needs of local residents, new eating and drinking establishments would be conditional uses (abbreviated procedure).

In neighborhoods where eating and drinking establishments are a sensitive issue, density thresholds could be applied. These thresholds would be contingent upon the capacity of each neighborhood commercial district to accommodate new eating and drinking establishments and based on the style and orientation of each shopping district, existing percentage of linear commercial frontage currently devoted to bars, and the effect these uses have on the adjacent business and adjoining residential community.

In neighborhoods where eating and drinking establishments are not yet sensitive commercial uses, but could potentially become so (because land use characteristics are similar to those in the sensitive areas), density thresholds could be established based on the growth potential and capacity of each district.

Eating and drinking establishments would be permitted uses in large citywide neighborhood commercial districts which are served by major transit thoroughfares, have large lot dimensions, and exhibit the capacity to accommodate additional eating and drinking establishments and the increased nighttime activities these uses generate.

ENTERTAINMENT

Why control is necessary

The control of entertainment uses in neighborhood commercial districts is necessary to:

- Ensure compatibility of the entertainment uses with the surrounding residential and business community;
- Regulate the noise and congestion associated with these types of uses; and
- Control the potential proliferation of such uses which compete with neighborhood serving uses for limited storefront space.

How entertainment uses are currently regulated

Assembly and entertainment uses are combined under one land use category in the Code.

Evaluation of current controls

Over the past decade, entertainment uses have been identified as sensitive commercial uses often associated with traffic, noise, and congestion (both auto and pedestrian), particularly during the late evening hours.

As a result, neighborhood groups in certain areas requested moratoria in the form of temporary holding actions prohibiting any permit issuance for new entertainment establishments. The DCP staff then developed special use controls in an effort to regulate the issuance of these types of permits in ten sensitive neighborhoods. These special use controls were intended as interim actions until completion of the overall rezoning effort.

Neighborhood commercial rezoning study data confirm the findings described above, that:

- Entertainment uses can be sensitive commercial uses which generate night time noise along with auto and pedestrian traffic;
- The proliferation of these types of uses above certain thresholds compound the problems described above, negatively impacting the surrounding community;
- Entertainment uses should be regulated so as to ensure their compatibility with the surrounding residential and business community; and
- Adult theaters should not be permitted in most neighborhood commercial districts.

Control alternatives for "Entertainment"

Movie theater

1. Conditional (abbreviated procedure); and
2. Permitted.

Amusement enterprise

(defined as including night club, dance hall, place of entertainment, recreation building, and amusement game halls (such as video games, pinball machines, and pool tables or other similar mechanical or electronic amusement devices), when conducted within a completely enclosed building provided that: 1) incidental noise is confined to the premises by adequate soundproofing or other device; and 2) no portion of a building occupied by such use shall have any opening other than fixed windows and exits required by law, within 50 feet of any R district):

1. Not permitted;
2. Conditional (abbreviated procedure); and
3. Permitted.

Adult entertainment establishment

(as specified in (i),(ii),(iii) below, provided that the use is so located that the premises upon which it is conducted are not less than 1,000 feet from any other adult entertainment enterprise: (i) Adult bookstore; (ii) Adult theater; and (iii) Encounter studios:)

1. Not permitted;
2. Conditional (abbreviated procedure); and
3. Permitted.

Application of control alternatives

Movie theater

In small scale commercial neighborhoods, with little night time activity, narrow streets, small lot patterns, and little on-street parking available, theaters should be permitted by conditional use (abbreviated procedure) only. Operations would also be controlled in individual neighborhoods by use dimensions regulating the size of commercial uses in each neighborhood commercial district classification.

However, in neighborhoods with good auto access, good parking facilities, and a wide service area, theaters would be permitted.

Amusement enterprises

These uses (night clubs, dance halls, and places of entertainment, recreation building, and amusement game halls (such as video games, pinball machines, and pool tables or similar mechanical or electronic amusement devices) should be not permitted in neighborhoods having limited commercial activity, surrounding low scale residential development, and primarily day-time oriented shopping patterns.

In linear shopping districts with limited capacity to accommodate pedestrian and auto traffic, these uses should be permitted only by conditional use (abbreviated procedure) review. The conditional use review process could include conditions to regulate the proximity of the use to residential districts, proximity of use to other entertainment uses and the hours of operation. The applicant would be required to demonstrate the existing inventory and impact of the use on abutting residential communities.

These commercial uses could be permitted in large neighborhood commercial districts served by major transit corridors which have the capacity to accommodate incoming traffic and congestion into the area, adequate parking facilities, and abutting commercial districts.

Adult entertainment establishments

These should not be permitted in the small scale neighborhood commercial district intended for retail sales and personal services.

These uses should be permitted only by conditional use (abbreviated procedure) in large neighborhood commercial districts served by major auto thoroughfares, providing the capacity to accommodate large numbers of outside shoppers.

The adult entertainment use should be permitted in specially designated areas of the city (e.g. Broadway, all C-3 districts) providing that the use is so located that the premises upon which it is conducted are not less than 1,000 feet from any other adult entertainment enterprise.

ASSEMBLY

Why control is necessary

The control of assembly uses in neighborhood commercial districts is necessary to:

- Regulate non-retail development on the commercial shopping strip;
- Preserve the ground floor retail storefront space for the small business community; and
- Control the size, location and capacity of these assembly uses in neighborhood commercial districts.

How assembly uses are currently regulated

Assembly uses are controlled in the Code under Section 221, "Assembly and Entertainment".

Evaluation of current controls

Assembly uses should be considered as a separate land use category apart from Entertainment because they are primarily non-retail uses and should be regulated as such in neighborhood commercial districts intended primarily for retail sales and personal services.

Club house, lodge, and meeting hall, and non-commercial recreation open space currently a), b), c), and d) in the Code are all basically the same type of assembly use and can be considered under one heading, "Assembly", as proposed below.

Control alternatives for "Assembly"

1. Conditional (abbreviated procedure); and
2. Permitted.

Application of control alternatives

In small scale local serving neighborhood commercial districts intended for retail sales and personal services, assembly uses would require conditional use (abbreviated procedure) review as a means to regulate non-retail uses. Consideration would be given to a neighborhood-serving assembly type use designed to serve the needs of the immediate community.

In the larger citywide neighborhood commercial district served by a major transit corridor with ample space available for retail sales and personal services, assembly uses would be permitted.

HOTELS AND MOTELS

Why control is necessary

The control of hotels and motels in neighborhood commercial districts is necessary to:

- Regulate the location, distribution, and operation of the hotels and motels, identified as sensitive commercial uses and often associated with increased tourist activity, noise, congestion, and parking problems in neighborhood commercial districts; and
- Retain adequate storefront space to maintain a balance of available retail business and personal services, necessary to meet the daily shopping needs of surrounding residents.

How hotels and motels are currently regulated

In RC districts, hotels and motels are controlled in the Code under Section 209.2., Other Housing.

For C-1 and C-2 districts, hotels and motels are controlled in the Code under Section 216., Other Housing.

Evaluation of current controls

The hotel and motel use should not be identified as "Other Housing" in the Code. "Other Housing" should be reserved for those uses serving the housing needs of permanent San Francisco residents. The typical hotel and motel is a commercial use serving the tourist community. Therefore, it should be listed and regulated as a commercial use.

The C-1 and C-2 neighborhood commercial classifications do not provide any controls regulating the location, distribution, or operation of hotels in neighborhood commercial districts. Because of the sensitive nature of the hotel operations and the nuisances associated with tourist trade, conditional use (abbreviated procedure) review should be an option available in certain neighborhoods where there is concern about the loss of neighborhood orientation.

Motels currently are separated into two sub-categories in the Code: (c) with restriction as to entrance into auto court; and (d) with no restriction as to entrance. However, because an accessory parking lot (auto court) use would be reviewed in all projects citywide under the new zoning framework, motels could be controlled under the same land use category as the hotel use. "Bed and Breakfast" establishments would also be included in this land use category.

Control alternatives for "Hotels and Motels"

1. Not permitted;
2. Conditional (abbreviated procedure); and
3. Permitted.

Application of control alternatives

The primary intent of the neighborhood commercial district is to provide retail goods and services to the local resident population. Therefore, in corner or cluster commercial districts with few storefronts available, small lot patterns, and surrounding low-scale residential development, the hotel and motel use should not be permitted.

However, a small hotel could be operated in certain larger scale commercial districts in a manner which could enhance the business climate and not disturb local residential activity. In these neighborhood commercial districts, with good public transit, available parking, and a balanced mix of available retail goods and personal services, the hotel could be permitted as a conditional use (abbreviated procedure) if the applicant can demonstrate that the size, scale, and design of the proposed hotel would not disrupt the area and generate a heavy volume of tourist activity, nor remove affordable housing units from the housing stock.

In the large-scale, citywide business districts, designed to accommodate tourist activity, the hotel and motel use would be permitted.

ANIMAL SERVICES

Why control is necessary

The control of animal services in neighborhood commercial districts is necessary to:

- Regulate the noise, smells, and concomittant nuisances associated with the board and care of animals in neighborhood commercial districts; and
- Control the animal hospital or clinic as any other type of non-retail storefront or institutional use in neighborhood commercial districts designed primarily for providing retail goods and personal services to the surrounding residential community.

How animal services are currently regulated

Animal services are controlled in the Code under Section 224.

Evaluation of current controls

The current Code does not include a sub-category for the retail animal service, grooming parlor, and pet shops. These uses could be permitted in all neighborhood commercial districts, if conducted entirely within an enclosed building.

The animal hospital or clinic is appropriately controlled by conditional use, although specific criteria are not currently listed to regulate the animal service operation.

The commercial kennel and riding academy is permitted only in the CM, M-1 and M-2 districts. These types of commercial uses are appropriately located only in the heavy commercial or industrial areas of the city.

Control alternatives for "Animal Services"

Retail or Clinic with limited overnight accommodations

1. Conditional (abbreviated procedure); and
2. Permitted.

Hospital

1. Not permitted; and
2. Conditional (abbreviated procedure).

Kennel/Stable

1. Not permitted; and
2. Conditional (abbreviated procedure).

Application of control alternatives

Animal grooming parlors and pet stores, both retail services, and clinics with limited overnight accommodations would be permitted in neighborhood commercial districts with limited residential activity, subject to the size limitations set forth in the building envelope component.

In districts with residential activity which could be disturbed by a retail pet facility with limited overnight accommodations, such a use could be permitted as an abbreviated conditional use.

The animal hospital would be regulated in neighborhood commercial districts which are designed primarily for retail goods and services. In the small scale districts, local serving primarily daytime retail districts animal hospitals and clinics should not be permitted. In all other neighborhood commercial districts, these types of uses should require conditional use (abbreviated procedure) review to control the scale and capacity of the operation and to ensure that the use is compatible with the abutting residential communities.

AUTOMOTIVE

Why control is necessary

The control of automotive uses in neighborhood commercial districts is necessary to:

- Ensure the compatibility of automotive use with the surrounding business and residential community.

How automotive uses are currently regulated

Automotive uses are controlled in the Code under Section 223.

Evaluation of current controls

Current controls for automotive uses in neighborhood commercial districts are very detailed, having been developed during a time when industry practices required complicated service and repair standards. Today, these distinctions are outdated and no longer necessary. Standards consolidated as follows would be sufficient:

Control alternatives for "Automotive"

The following range of controls for this zoning category will be applied to the subsequent sub-categories below:

1. Not permitted;
2. Conditional (abbreviated procedure); and
3. Permitted.

The sub-categories are as follows (see Appendix A for definitions):

- a) Gasoline only: Gas stations for the sale and dispensing of gasoline directly into motor vehicles, excluding an on site service bay;
- b) Gasoline with minor auto repair and services;
- c) Repair facility for mechanical repair; repair facility for auto body repair;
- d) Tire recapping;
- e) Auto wash;
- f) Sale and rental, enclosed;
- g) Sale and rental, open lot;
- h) Parking garage or lot; and
- i) Parcel delivery.

Application of control alternatives

In the corner cluster and small-scale, local-serving neighborhood commercial district with limited commercial development, lot patterns of 25 X 100 ft. dimensions, and poor transit access, automotive services would not be permitted.

In the traditional linear-style neighborhood commercial district with mixed residential-commercial development and good transit access, certain automotive uses would be permitted by conditional use within the established scale limitations. "Gasoline only" stations and gasoline stations with service bays would be permitted as conditional use (abbreviated procedure) with review by the Zoning Administrator. All other automotive uses would not be permitted.

The larger, citywide neighborhood commercial districts serving as major transit corridors would have the capacity to accommodate various automotive uses. Gasoline only, service stations, repair garages, enclosed auto sales buildings, parking facilities, and parcel delivery service would be permitted as conditional uses (abbreviated procedure) or permitted within established scale limitations. Tire recapping would not be permitted in neighborhood commercial districts.

All automotive services except tire recapping would be permitted within established scale limitations in commercial districts designed to accommodate major auto repair body work, and some light industrial uses.

LAUNDERING AND CLEANING

Why control is necessary

The control of laundering and cleaning establishments is necessary in neighborhood commercial districts to:

- Regulate the size and operation of these types of commercial uses to ensure compatibility with the surrounding residential community.

How laundry and cleaning establishments are currently regulated

Laundering and cleaning establishments are controlled in the Code under Section 220.

Evaluation of current controls

The category for hand ironing should be eliminated. This type of commercial establishment no longer exists;

The existing Code standards for dry cleaning establishments are too complicated. This detailed Code language is no longer necessary due to current industry operating standards and can be eliminated from the Code;

The standards for automatic laundry facilities are still applicable and should remain as presently stated in the code; and

The size standards applied to commercial uses in neighborhood commercial districts will regulate the capacity of a dry cleaning establishment in any given area. In addition, the dry cleaning zoning category should differentiate the on-site from the off-site operation.

Control alternatives for "Laundering and Cleaning"

Automatic laundry

1. Permitted

Off-site dry cleaning establishment

1. Permitted;

On-site dry cleaning establishment

1. Conditional (abbreviated procedure); and
2. Permitted

Application of control alternatives

The automatic laundry establishment should be permitted in all neighborhood commercial districts. The use dimensions, determining the appropriate size of commercial uses in each neighborhood commercial district classification, will regulate the capacity of the automatic laundry facility to ensure compatibility with the surrounding retail and residential community.

The off-site cleaning establishment should also be a permitted use in all neighborhood commercial district classifications, relying on the use dimensions to control size and scale.

The on-site cleaning establishment should be permitted as a conditional use (abbreviated procedure) in most neighborhood commercial districts. This process would allow review of the capacity and type of machinery required to accommodate this type of operation. Criteria for abbreviated conditional review would list specific standards regulating fumes and noise in the operation of these facilities to ensure compatibility with the surrounding residential community.

The on-site cleaning establishment could be permitted in commercial districts having large lot dimensions, adjacent commercial uses, and the capacity to accommodate the machinery necessary to this type of operation.

TRADE SHOPS

Why control is necessary

The control of trade shops in neighborhood commercial districts is necessary to:

- Regulate the noise, fumes, and other impacts associated with the use of machinery in buildings adjacent to residential districts; and
- Regulate non-retail shop uses, by requiring that a percentage of the total shop space be used for retail display space to provide a continuous shopping pattern on the commercial strip.

How trade shops are currently regulated

Trade shops are regulated in the Code under Section 222, "Home and Business Services".

Evaluation of current controls

The home and business service classification currently includes trade shops, offices of contractors, and interior decorating shops. Trade shops warrant their own zoning category due to the potential problems associated with their style of operation in neighborhood commercial districts. The approval of trade shops would be subject to specific conditions to regulate the intensity of operation in neighborhood commercial districts. This could be regulated through the regulation of the size of machinery, and noise and acoustic controls.

The catering establishment is a wholesale trade shop licensed by the Health Department to prepare food. However, with this Health Department permit, the catering establishment could also operate as a retail grocery and fast food outlet, in addition to its primary wholesale function. This can become a problem if this accessory use generates the concomittant nuisances associated with fast food establishments, such as noise, congestion, and traffic. The current Code does not regulate the accessory uses associated with wholesale catering establishments. These problems should be resolved by employing a list of criteria for approval of these commercial uses in neighborhood commercial districts.

Offices of contractors which are used for wholesale storage should be identified as wholesale or storage uses and permitted only in large commercial and light industrial districts having the capacity to accommodate non-commercial storage uses. If less than 25% of a contractor's office is used for storage (accessory use), it should be considered a business office and not subject to the controls of this section. A business office is permitted as a principal use in all neighborhood commercial districts. (See "Other offices".)

The interior decorating shop is not a trade shop. It is a retail design store and should be considered a subsection of general retail and personal services, not detailed in the zoning category breakdown.

Control alternatives for "Trade Shops"

The term "shop" would be defined to include only custom retail establishments (such as appliance repair, upholstery, sign painting, carpenter, printing, blueprinting, and catering shops) which reserve some storefront, including windowspace, to be used for retail service to the general public during regular business hours. All trade operations shall be conducted entirely within an enclosed building having no openings other than fixed windows or exits required by law within 50 feet of any R district.

1. Conditional (abbreviated procedure); and
2. Permitted.

Application of control alternatives

The controls for trade shop uses would be applied to neighborhood commercial districts on an individual district basis with consideration given to impacts on adjacent residential communities, size of operations, capacity of trade operation, and the use of acoustical controls both within building and in style of machinery.

The intention of the regulations is to permit trade shops to locate in neighborhood commercial districts. However, precautions should be taken to ensure that the style of operation is compatible with the business and residential community.

There is a fine line separating the retail trade shop and the light manufacturing use, which is permitted only in the heavy commercial and industrial districts. The use dimensions, regulating the size of the commercial uses in neighborhood commercial districts could control the capacity of the trade shop somewhat by restricting the available square footage. However, this control alone is not sufficient, because heavy machinery could be accommodated in the smallest building envelope permitted, 2,500 sq.ft. It would be important to regulate the type of machinery permitted to operate in the trade shops located in neighborhood commercial districts. Certain machinery due to its size and capacity (horsepower) generates noise, fumes, and other nuisances not compatible with surrounding residential development. The conditional use (abbreviated procedure) review process would be used to regulate the permit approval of trade shops in neighborhood commercial districts.

The trade shop would be required to maintain retail service space to assure a continuous retail frontage in districts designed primarily for retail business and personal service operations.

The catering establishment would be required to operate a retail storefront to accommodate shoppers during regular business hours. This operation could include a business office lobby and/or a retail grocery (within scale limitations). However, if the retail space were to be for the sale of food (not a business office), the catering establishment would need an additional eating and drinking permit for preparing food to go for sale on the premises.

In commercial districts designed primarily to accommodate major auto repair and light manufacturing type uses, the trade shop could be permitted as a principal use.

OTHER RETAIL SALES AND PERSONAL SERVICES

Why control is necessary

Heretofore, the commercial zoning categories discussed are those which require a special control in the form of definitions of use and standards for operation. The remaining wide range of retail goods and personal services are permitted in this zoning category with no special conditions.

However, these "other retail sales and personal services" are regulated by all other components of the neighborhood commercial zoning framework, including all sections under Building Envelope, Vertical Mix, Other Code Sections, and Other Agency References.

How other retail sales and personal services are currently regulated

Other retail sales and personal services are controlled in the Code under Section 218.

Evaluation of current controls

The current standards control the type of retail business and/or personal services permitted in a C-1 or C-2 district by: 1) geographical location (C-1 and C-2--"service area"); and 2) the sale of new commodities.

The distinction of geographical service area is outdated. Retail marketing techniques have shifted over the past 20 years and merchants must now reach out beyond the "residents in the immediate vicinity" to the entire community to survive in business. Concurrently, the sale of used goods has become a very popular retailing method used by merchants in all neighborhood commercial districts and no longer serves to define the scale of neighborhood commercial business. Therefore, these distinctions can be eliminated as other aspects of the proposal effectively accomplish the intention of the Code to preserve the small-scale character of the local neighborhood commercial district with use dimensions.

Control alternatives and applications for "Other Retail Sales and Personal Services"

All such uses would be permitted subject to other controls in the code.

PERMITTED OFFICES

FINANCIAL OFFICES

Why control is necessary

Controls are needed for financial offices in neighborhood commercial districts to:

- Regulate the location, distribution, and design of financial offices in neighborhood commercial districts; and
- Maintain a balanced mix of commercial retail goods and services, and ensure that additional financial offices would not threaten the neighborhood orientation of the district by displacing smaller local serving businesses.

How financial offices are currently regulated

All offices are controlled in the Code under Section 219.

Business and professional offices are permitted as principal uses in C-1, C-2, and CM districts. Offices are permitted as principal uses in RC districts on the ground floor only. All upper story office uses are subject to conditional use review in RC districts.

Financial offices have been identified as potentially sensitive uses in certain neighborhood commercial districts, associated with increased traffic, congestion, competition for available space, and facade treatment problems.

As a result, neighborhood groups requested that the Board of Supervisors initiate more restrictive controls for financial offices. The Board of Supervisors acted to approve temporary moratoria controls in certain sensitive commercial districts prohibiting the issuance of new building permits for financial offices until the DCP could complete a study and propose comprehensive legislation.

In response to this request from the Board of Supervisors, the DCP developed the Special Use District framework including standards to regulate the density and review process of 10 commercial uses (bars, restaurants, fast food establishments, off-sale liquor stores, places of entertainment, dance halls, cabarets, hotels, bath houses and financial offices) in ten neighborhood commercial districts.

These special use overlays were initiated as interim holding actions until a comprehensive citywide rezoning study could be completed.

In addition, the CPC has approved design review guidelines for financial offices in certain areas of the city.

Evaluation of current controls

Section 219 of the Code separates offices into: a) professional; and b) business. These sub-categories are principal permitted uses in all neighborhood commercial districts. This distinction no longer serves to define office use in neighborhood commercial districts. Therefore, these sub-categories can be eliminated.

Recent neighborhood concern over the proliferation of financial offices and responding actions by the CPC and Board of Supervisors demonstrate the need to revise the current C-1, C-2, RC, and CM standards.

The special use district overlay does respond to this need for additional controls. The framework provides a regularized process to review financial office permits after a density threshold is reached. For the past 18 months, the special use controls for financial offices have been successfully implemented in ten neighborhood commercial districts

The special use district framework could be applied to additional neighborhood commercial districts, though not all districts are subject to sufficient pressure to warrant such a detailed network of controls. Therefore, it is recommended that the special use controls be incorporated into the proposed neighborhood commercial zoning changes. Financial offices would be identified as a zoning category and assigned an appropriate range of controls which could be tailored and applied to the individual needs of each district.

Neighborhood commercial districts are experiencing an increased demand for office space, due in part to downtown expansion and the spillover of displaced offices into the outlying neighborhoods. This growth has resulted in some conversion activity of dwelling units into offices, and increased competition for ground floor commercial space.

Control alternatives for "Financial Offices"

1. Not permitted;
2. Conditional (abbreviated procedure); and
3. Permitted.

Application of control alternatives

The controls for financial offices could be assigned to respond to the needs of each neighborhood commercial district. Commercial zoning standards, such as the balance of available retail sales and personal services, current inventory of financial offices, standard lot dimensions, abutting property uses, transit access, environmental congestion, and available parking facilities would assist in the assignment of appropriate controls for financial offices individual neighborhood commercial districts.

In the corner, cluster and certain small scale commercial districts designed primarily for the daily shopping needs of local residents, new financial offices would be not permitted. However, automated teller machines would be permitted because they do provide a service to the local resident and merchant community.

In neighborhood commercial districts where financial offices are identified as sensitive or potentially sensitive uses threatening the neighborhood oriented scale of development, new applications for financial offices would be subject to an abbreviated conditional use review. The review process would determine the growth potential of a commercial district and its capacity to accommodate new financial offices, based on the available commercial frontage, percentage of frontage currently devoted to financial offices, facade treatment, and the effect these uses have on the adjacent business and adjoining residential community.

Financial offices would be permitted uses in large citywide neighborhood commercial districts which are served by major transit thoroughfares, have large lot dimensions, and exhibit the capacity to accommodate additional financial offices.

OTHER OFFICES

Why control is necessary

Controls are needed for other offices in neighborhood commercial districts to:

- Maintain a balanced mix of commercial retail goods and services; and ensure that neighborhood serving offices are not displaced by larger, more "downtown-oriented" firms.

How other offices are currently regulated

All offices are controlled in the Code under Section 219.

Business and professional offices are permitted as principal uses in C-1, C-2, and CM districts. Offices are permitted as principal uses in RC districts on the ground floor only. All upper story office uses are subject to conditional use review in RC districts.

Evaluation of current controls

Section 219 of the Code separates offices into: a) professional; and b) business. These sub-categories are principal permitted uses in all neighborhood commercial districts. This distinction no longer serves to define office use in neighborhood commercial districts. Therefore, these sub-categories can be eliminated.

The special use district overlay does respond to this need for additional controls. The framework provides a regularized process to review financial office permits after a density threshold is reached, but does not address any other types of offices. The concept has been successfully implemented in ten neighborhood commercial districts over the past 18 months.

However, the special use district framework could be applied to additional neighborhood commercial districts, though not all districts are subject to

sufficient pressure to warrant such a detailed network of controls. The scope of this framework could also be expanded to include other types of offices. Therefore, it is recommended that the special use controls be incorporated into the proposed neighborhood commercial zoning changes. Other offices would be identified as a zoning category and assigned an appropriate range of controls which could be tailored and applied to the individual needs of each district.

Neighborhood commercial districts are experiencing an increased demand for office space, due in part to downtown expansion and the spillover of displaced offices into the outlying neighborhoods. This growth has resulted in some conversion activity of dwelling units into offices, and increased competition for ground floor commercial space.

Control alternatives for "Other Offices"

1. Conditional (abbreviated procedure); and
2. Permitted subject to other controls in framework.

Application of control alternatives

The zoning categories listed above for permitted commercial uses detail those commercial uses which require a definition of use, operation, and standards for operation. The remaining wide range of retail goods and personal services, including offices, are permitted in this zoning category with no discussion. However, these "offices" are regulated by all other components of the framework, including all sections under Building Envelope and Vertical Mix.

This proposal would address the issue of downtown sprawl through two components found in the zoning framework: square footage per establishment standards and vertical mix controls. The size limitation would deter the large scale regional corporate offices from entering into the neighborhood and displacing a number of smaller scale office uses. The vertical mix controls would regulate the conversion of upper story residential uses to commercial use.

PERMITTED OTHER USES

Why control is necessary

The following seven zoning categories are grouped under one heading to simplify the report. These uses (nurseries, truck gardening, mortuaries, public structures, utility installations, public transportation facilities, and wireless transmission facilities) do not warrant detailed discussion. However, they do require regulations for location, distribution, and operation in neighborhood commercial districts designed primarily for retail sales and personal services. These seven zoning categories would have controls applied individually to each use.

How other uses are currently regulated

Other uses are controlled in the Code under Section 227.

Evaluation of current controls

This section also includes references which are controlled in other sections of the Code such as, sale or lease signs, access driveways, building enclosures, and temporary uses. These uses should be listed as reference items in the framework and deleted from the "other use" section of the Code.

Control alternatives for "Other Uses"

The following range of controls for this zoning category will be applied to each of the subsequent sub-categories:

1. Not permitted;
2. Conditional (abbreviated procedure);
3. Conditional (regular process); and
4. Permitted.

The sub-categories are as follows:

- a) Greenhouse or plant nursery;
- b) Truck gardening, horticulture;
- c) Mortuary establishment;
- d) Public structure or use of a non-industrial character, when in conformity with the Master Plan; such structure or use shall not include a storage yard, incinerator, machine shop, garage or similar use;
- e) Utility installation, public service facility, excluding service yard, provided that operating requirements necessitate location within the district;

- f) Public transportation facility, whether publically or privately owned or operated, when in conformity with the Master Plan and which includes:
- Off-street passenger terminal facilities for mass transportation of a single or combined modes including, but not limited to aircraft, ferries, trains, and busses, when such facility is not commonly defined as a boarding platform, bus stop, transit shelter, or similar ancillary feature of a transit system, and which does not require approval of the Board of Supervisors under other provisions of law.
- g) Public transportation facility, when in conformity with the Master Plan, other than as regulated in f) of this section or as in Sections 223 and 226 of this Code.

Application of control alternatives

The controls for each sub-category of Other Uses could be applied individually, to each neighborhood commercial district.

Nurseries could be permitted by conditional use (abbreviated procedure) in all neighborhood commercial districts with criteria set out to define style of operation (as an outside use). However, in the large scale commercial district with adjoining commercial uses, the nursery could be permitted.

Truck gardening is not an appropriate use in neighborhood commercial districts and should be prohibited. In the commercial district designed to accommodate wholesaling and light manufacturing, truck gardening could be a permitted use.

Mortuaries are not appropriate uses in small scale neighborhood commercial districts designed primarily for retail goods and services. These uses should be permitted only in the large scale heavy commercial district.

Public structures should be permitted only by conditional use (regular procedure) in neighborhood commercial districts designed primarily for the retail activities.

Public transportation facilities as defined in sub-category f), including off-street passenger terminal facilities, and sub-category g), including all other facilities, should require conditional use (regular procedure) in all neighborhood commercial district classifications.

PERMITTED MANUFACTURING AND WHOLESALING

Why control is necessary

The control of manufacturing and wholesaling uses in neighborhood commercial districts is necessary to:

- Prohibit large scale non-commercial manufacturing and wholesaling uses in neighborhood commercial districts intended primarily for retail sales and personal services;
- Regulate the distribution, location, and operation of certain light manufacturing and wholesaling uses in appropriate neighborhood commercial districts which have the capacity to handle these types of activities; and
- Ensure that adequate land is reserved as needed for these types of large scale commercial and light industrial uses.

How manufacturing and wholesaling uses are currently regulated

Manufacturing and processing

Manufacturing and processing uses are controlled in the Code under Section 226.

Manufacturing and wholesaling uses are not permitted in C-1 or C-2 districts. However, certain types of these uses are permitted in CM districts (such as light manufacturing, light food processing, industrial research labs, and battery manufacturing).

Wholesaling and storage

Wholesaling and storage uses are controlled in the Code under Section 225.

Wholesaling and storage is generally not permitted in C-1 or C-2 districts, except for household storage buildings which are permitted by conditional use in C-2 districts. Certain types of wholesaling and storage uses are permitted in CM districts (such as wholesaling establishments, warehouses, distribution plants, junk yards, and public utility yards).

Evaluation of current controls

Manufacturing and processing

The current Code standards prohibiting manufacturing uses in C-1 and C-2 zones are appropriate controls for neighborhood commercial districts designed primarily for retail sales and personal services.

Certain light manufacturing and processing uses are permitted in C-M districts. This type of commercial activity is appropriately located in the large scale commercial district having similar development and the capacity to accommodate future light manufacturing and processing activity.

Wholesaling and storage

The current Code standards prohibiting household storage buildings in C-1 districts and permitting them by conditional use in C-2 districts are appropriate controls in neighborhood commercial districts.

The household storage building is a non-retail commercial use which could disrupt the shopping pattern on a retail commercial strip. However, certain peripheral areas of a neighborhood commercial strip which could accommodate the household storage building would be considered for approval in the abbreviated conditional use review process.

Certain other wholesaling uses are permitted as principal or conditional uses in C-M districts. These uses are appropriately located in the large scale commercial district having similar development patterns.

Control alternatives for "Manufacturing and Wholesaling"

Household storage

1. Not permitted;
2. Conditional (abbreviated procedure); and
3. Permitted.

Wholesaling establishment, storage warehouse, and junk yard (lot for the sale of new and used merchandise)

1. Not permitted; and
2. Conditional (abbreviated procedure).

Light manufacturing, light food processing, industrial research labs, and battery manufacturing

1. Not permitted; and
2. Conditional (abbreviated procedure).

Application of control alternatives

In small corner cluster or local neighborhood commercial districts with limited storefront space available, manufacturing and wholesaling uses should be not permitted.

In the large scale neighborhood commercial districts served by major transit corridors, with large lot patterns, and good parking facilities, household storage buildings would be permitted as conditional use (abbreviated procedure). However, all other manufacturing and wholesaling uses should be not permitted.

Household storage buildings should be permitted in commercial districts with some light industrial development. However, wholesaling establishments, warehouses, and light manufacturing uses should be permitted only as conditional uses (abbreviated procedure).

PERMITTED HOUSING

DWELLING DENSITY

Why control is necessary

The control of dwelling unit density in neighborhood commercial districts is necessary to:

- Maintain the traditional mix of residential and commercial buildings on the neighborhood shopping strips;
- Retain the balance of necessary retail business, personal services, open space, and transit access available to meet the needs of all residents;
- Encourage new residential development; and
- Ensure that residential development remains in scale with surrounding community.

How dwelling density is currently regulated

The density of dwelling units in neighborhood commercial districts is controlled in the Code under Section 215.

Evaluation of current controls

The current Code standards for density ratios of dwelling units permitted in C-1, C-2, and CM districts are complicated and overly restrictive in certain districts. Greater densities could be permitted in some neighborhood commercial districts. This recommendation could be justified in those shopping districts with good transit access and convenient nearby retail business and personal services.

An increase in the density ratios would permit the construction of higher density mixed-use buildings, increasing the potential number of residential units available in neighborhood commercial districts, a positive step in meeting the City's goals to increase the total housing supply.

However, a proposed text change to permit increased density of housing units in neighborhood commercial districts would not necessarily enable (or encourage) new mixed-use construction unless accompanied by further revisions in building envelope requirements (e.g. parking standards and rear yard requirements).

Control alternatives for "Dwelling Density"

1. Dwelling at a density ratio not exceeding one dwelling unit for each 800 square feet of lot area (current RM-1 level);

2. Dwelling at a density ratio not exceeding one dwelling unit for each 600 square feet of lot area (current RM-2 level);
3. Dwelling at a density ratio not exceeding one dwelling unit for each 400 square feet of lot area (current RM-3 level); and
4. Dwelling at a density ratio not exceeding one dwelling unit for each 200 square feet of lot area (current RM-4 level).

Application of control alternatives

The range of control alternatives could be applied to neighborhood commercial districts on an individual basis after each area has been surveyed and evaluated for residential density capacity and future development potential.

The density ratio alternative 1 ("1 dwelling unit for each 800 square feet of lot area") could be appropriate for the small, local serving shopping district with surrounding low-scale residential development. Density ratio alternative 2 ("1 dwelling unit for each 600 square feet of lot area") could accommodate the neighborhood shopping district having good transit access, available open space, a full range of retail business and personal services, and surrounding medium/full-scale residential development.

A recommendation for density ratio alternative 3 ("1 dwelling unit for each 400 square feet of lot area") could be reserved for the commercial districts serving as major transit corridors, with large lot patterns, having the capacity to support increased density ratios. Alternative 4 ("1 dwelling unit for each 200 square feet of lot area") would be appropriate only for those areas with full-scale residential and commercial development, serving as major thoroughfares, and proving the capabilities to accommodate these density ratios.

OTHER HOUSING

Why control is necessary

The control of group housing and residential hotel units in neighborhood commercial districts is necessary to:

- Recognize the value of this type of housing stock and the difficulty in replacing it; and
- Regulate the density, distribution, and location of these types of housing units to ensure that new development is compatible with surrounding residential community.

How other housing is currently regulated

Other housing units are controlled in the Code under Section 216.

Evaluation of current controls

The "Other Housing" land use category should be reserved for units which serve as dwelling units for permanent San Francisco residents, and assigned appropriate controls designed to protect and preserve the City's existing housing stock.

The commercial hotel and motel unit, identified as sensitive commercial uses, and associated with traffic, noise, and congestion in neighborhood commercial districts should not be handled in the "Other Housing" category. The hotel and motel uses should be listed as a commercial use land use category.

Control alternatives for "Other Housing"

1. Not permitted;
2. Conditional (abbreviated procedure); and
3. Permitted.

Application of control alternatives

The controls for conserving existing residential hotel and group housing units would be determined by the number of units available, and the value of this housing stock in the neighborhood commercial districts.

The application of these control alternatives for new development would be dependent upon the existing scale of residential and commercial development, and the proposed density, location, and the effect of the group housing and residential hotel uses on each neighborhood commercial district.

PERMITTED INSTITUTIONS

Why control is necessary

The control for institutions is necessary to:

- Regulate both new development and expansion of institutional uses in neighborhood commercial districts ensuring compatibility of uses with the commercial and surrounding residential communities.

How institutional uses are currently regulated

Institutional uses are controlled in the Code under Section 217.

Evaluation of current controls

Current Code standards include sub-categories for Institutions which could be consolidated for application to neighborhood commercial districts. This is primarily a change in format, identifying groups of uses within the general category: hospitals and medical centers, schools and churches.

Over the past 10 years institutional growth and expansion in certain neighborhood commercial districts has caused some concern in the business and residential community. Institutions are non-retail uses which could disrupt the retail storefront and shopping pattern flow on the street and detract from the total available storefront space.

However, there are certain institutional uses which could provide important support services to the surrounding community. Therefore, permits should be reviewed on an individual conditional use (abbreviated or regular) basis.

The square footage per establishment controls proposed for every neighborhood commercial district would regulate the potential size of all new and expanded institutional uses.

Controls alternatives for "Institutions"

The following range of controls for this land use categories would be applied to each of the subsequent sub-categories:

1. Not permitted;
2. Conditional (abbreviated procedure);
3. Conditional (regular procedure); and
4. Permitted.

Hospitals and medical centers

- a) Hospital medical center or other medical institutions; residential care facility; and
- b) Clinic-Outpatient.

Schools

- c) Child care facility; elementary school; and
- d) Secondary or post-secondary school.

Church and philanthropic societies

- e) Church or philanthropic society.

Application of control alternatives

In the effort to determine the capacity for institutional growth in neighborhood commercial districts, all districts will be surveyed for current land use and future development capacity.

The expansion and new development of institutions would be regulated subject to the square footage per establishment controls in all neighborhood commercial districts.

In the small local neighborhood commercial district with limited commercial development, poor transit accessibility and parking facilities, it may be advisable to prohibit development of additional institutional uses.

In the linear mixed-use shopping district, with standard lot patterns (25 X 100), continuous retail storefront window space, and a balance of goods and services all hospital and medical centers should require conditional use (regular) review. All other institutional use applications should be subject to conditional use (abbreviated) review. Institutions are non-retail uses, which could disrupt the retail storefront and shopping pattern flow on the street and detract from the total available storefront space. Conditional use criteria would be developed to determine the institution service potential to the community and its' impact on the surrounding business and residential community.

In the large scale neighborhood commercial district, with large lots, good transit access, and the capacity to accommodate growth the recommendation could be to permit institutions as principal uses, within the permitted scale limitations.

SECTION 6

AMENDMENTS TO THE CITY PLANNING CODE

Implementation of the proposals presented in this report would require a substantial revision to the existing City Planning Code text. It would involve deletion and addition of certain entire text sections, as well as modification of some sections which currently relate to both neighborhood commercial and residential, industrial, or downtown commercial districts.

It would also require a thorough revision of the Code maps in order to initiate individual neighborhood commercial districts.

The proposed controls could be incorporated into the Code either in its current format which includes references to all districts in each of its articles (chapters), or in a revised format which would group all controls for neighborhood commercial districts into one article. A study of each alternative is currently underway. Detailed format and text language changes are forthcoming.

APPENDIX A

DEFINITIONS*

- Animal Services: Retail pet store, grooming service, and hospital clinic facilities for animals. (pp. 35-36)
- Approval Procedures: Conditional (Abbreviated Procedure)
Review and determination by the Zoning Administrator subject to appeal to the CPC within 10 days. (pp. 10-11)
- Conditional (Regular Procedure)
(Code, Section 303). (pp. 8-11)
- Discretionary Review
The City Planning Commission has the authority to conduct discretionary reviews of building permit applications under a power vested in the Commission by the Charter and the Municipal Code. The power is exercised in cases in which the proposed development meets the literal requirements of the City Planning Code, but may nevertheless have serious detrimental effects. (pp. 9-11)
- Guidelines
Criteria approved by the City Planning Commission, but not codified, to be used in consideration of certain sensitive commercial permit applications. (pp. 8-11)
- Not Permitted
Prohibited in each established neighborhood commercial district. (pp. 8-11)
- Permitted
Permitted as of right in each established neighborhood commercial district (Code, Sections 209, 213). (pp. 8-11)
- Special Use Review
Modified conditional review process applied to only 10 special use districts (Code, Section 312). (pp. 8-9)
- Assembly: Private non-commercial club house, lodge, meeting hall or recreation building. (p. 33)

* The page numbers in parentheses indicate the pages in this report where term is referenced.

Gas station for the sale and dispensing of gasoline directly into motor vehicles, prohibiting the inclusion of a service bay on site of operation. (pp. 36-38)

b) Gas with minor auto repair

Automobile service station where the principal use is the sale and dispensing of motor fuels and lubricating oils directly into motor vehicles. The following activities, services, adjustments, and repairs shall be permitted as accessory and incidental uses if conducted entirely within no more than 3 enclosed service bays, having no openings other than fixed windows or exits required by law within 50 feet of R district:

- The sale and dispensing of greases and brake fluids, including motor vehicle lubrication, and the sale of installation of tires, batteries, and other accessories;
- Tuneup, including the repair or replacement of distributors, spark plugs, and carburetors;
- Shock absorber replacement;
- Muffler exchange, with no open flame or torch;
- The servicing and repairing of tires, wheel balancing and alignment, and wheel bearing and seals replacement;
- The installation and servicing of smog devices;
- Replacement of universal joints;
- Clutch adjustments;
- Repair or replacement of water pumps, generators, alternators, voltage regulators, starters, fuel pumps, and such other repairs as may be designated by the Chief of the San Francisco Fire Department under Paragraph 8.09(a)(5)(o) of Part II, Chapter IV (Fire Code) of the San Francisco Municipal Code; and

- Auto washing and polishing of an incidental nature, not including the use of any mechanical conveyor, blower, or steam cleaning device.
- c) Repair facility for mechanical repair and repair facility for auto body repair
 Repair garage, as described in gas station, with minor auto repair above, with the following major automobile repairs permitted therewith, if conducted within an enclosed building having no openings other than fixed windows or exits required by law within 50 feet of any R district:
- Engine repair, rebuilding, exchange, or replacement;
 - Repair, rebuilding, or installation of power train components;
 - Reconditioning of badly worn or damaged motor vehicles;
 - Collision service; and
 - Full body paint spraying.
- d) Automobile wash
- e) Tire recapping facility
 When conducted within a completely enclosed building.
- f) Sale or rental of new or used automobiles, trucks, and trailers
 When conducted entirely within an enclosed building.
- g) Open Lot for sale or rental of new or used automobiles, trucks, and trailers
- h) Parking garage or lot
- i) Parcel delivery service
 For unloading, sorting, and reloading of local retail merchandise for home deliveries.

Building Envelope:

Proposed standards regulating dimensions, areas, open spaces, design of lot, building, and commercial use size in neighborhood commercial districts. (pp. 14-25)

Drive-Up Facilities:

A drive-up or auto-oriented facility is defined as one designed primarily for drive-to or drive-through trade, giving take-out service as a large proportion of the business, catering to patrons in autos and providing off-street parking. (pp. 21-22)

Eating and Drinking Establishments:

Includes commercial drinking and eating establishments which sell liquor and/or food for consumption on or immediately off the premises. These commercial establishments are licensed by the health department and/or the ABC as follows. Numbers refer to the type of permit issued. (pp. 28-30)

a) Restaurants

(Eating, or eating and drinking establishments)

0 - Eating only, on premises.

41 - Authorizes the sale of beer and wine for consumption on a bonafide public eating place type premises plus the sale of beer and wine for consumption off the premises where sold.

47 - Authorizes the sale of beer, wine, and distilled spirits for consumption on a bonafide public eating place type premises plus the sale of beer and wine only for consumption off the premises where sold.

b) Bars

(Drinking establishments)

61 - On-sale beer, public premises. Authorizes the sale of beer for consumption on the premises where sold.

40 - On-sale beer, public premises. Authorizes the sale of beer for consumption on the premises where sold and the sale of beer for consumption off the premises where sold.

42 - On-sale beer and wine, public premises. Authorizes the sale of beer and wine for consumption on the premises where sold.

48 - On-sale general, public premises. Authorizes the sale of beer, wine and distilled spirits for consumption on the premises where sold.

- c) Off-Sale Liquor
 20 - Off-sale beer and wine license. Authorizes the sale of beer and wine for consumption off the premises where sold.
- 21 - Off-sale general license. Authorizes the sale of beer, wine, and distilled spirits for consumption off the premises where sold.

Entertainment:

The Police Department controls the issuance of Entertainment Establishment permits. Police Code excerpts are provided to define sub-categories for Entertainment; Movie Theater, Amusement Enterprise, and Adult Entertainment Establishment: (pp. 30-32)

- a) Movie Theater
 A building or part of a building intended to be used for the specific purpose of displaying motion pictures, slides or closed circuit television pictures before an individual or assemblage of persons, whether such assemblage be of a public, restricted or private nature, except a home or private dwelling and for which no fee, by way of admission charge is made.
- b) Amusement Enterprise
 Including place of entertainment, nightclub, dance hall, recreation building and amusement game halls, when conducted within a completely enclosed building provided that: 1. incidental noise is reasonably confined to the premises by adequate soundproofing or other device; and 2. no portion of a building occupied by such use shall have any opening other than fixed windows and exits required by law, within 50 feet of any R district.

Place of Entertainment

(Sec. 1060, including night clubs.)

Every premise to which patrons or members are admitted which serves food, beverages, or food and beverages, for consumption on the premises and wherein entertainment as defined below is furnished or occurs upon the premises.

Entertainment

Any act play review, pantomime, scene, song, dance act, song and dance act, or poetry recitation, conducted or participated in by any professional entertainer in or upon any premises to which patrons or members are admitted. Entertainment, in addition, is defined to mean and to include the playing upon or use of any instrument that is capable of or can be used to produce musical sounds or percussion sounds, including but not limited to reed, brass, percussion or string-like instruments; provided, further, that "entertainment" is defined to mean any instrument or device capable of producing or reproducing sound, which device is located in a premise open between the hours of 2:00 a.m. and 6:00 a.m.

c) Dance Hall
(Section 1022)

Dance

Any gathering of persons in or upon any premises, other than a private home or residence or a class in which instruction in dancing is given for hire, where dancing is participated in.

Dance Hall

Any building or place in which a dance is held.

Amusement Game Halls

Any establishment having three or more video games, pinball machines, pool tables or other such similar mechanical and electronic amusement devices. (Less than three devices constitutes an accessory use under Code Section 204 and 204.5.

Freight and Loading:

Schedule of required off-street freight and loading service vehicle spaces for neighborhood commercial districts. (pp. 20-21)

Height Standards:

(Code Section 102.11) The vertical distance by which a building or structure rises above a certain point of measurement. (p. 16)

- Hotels and Motels: A building where overnight lodging, without individual cooking facilities, is offered to the public for compensation, primarily for the accommodation of non-San Francisco residents. (pp. 34-35)
- Housing:
- a) Dwelling Density
Density ratio of dwelling units to lot area (dwelling unit defined as a room or suite of two or more rooms that is designed for, or is occupied by, one family doing its own cooking therein and having only one kitchen). (pp. 51-52)
 - b) Other Housing
Group housing or residential hotel which provides lodging, without individual cooking facilities, by pre-arrangement for a week or more at a time, in a space not defined as a dwelling unit, primarily for the accommodation of San Francisco residents. (pp. 52-53)
- Institutions:
- a) Church and Philanthropic Societies
(Code, Section 217 d-j). (p. 55)
 - b) Clinic-Outpatient
Primarily providing outpatient care. (Code, Section 217c). (p. 54)
 - c) Hospital and Medical Centers
Primarily providing overnight medical care. (Code, Section 217a). (p. 54)
 - d) Schools
An institution for learning. (Code, Section 217e-i). (p. 55)
- Laundering and Cleaning: Retail automatic coin laundry facility and dry cleaning facilities. (pp. 38-39)
- Manufacturing and Wholesaling: Light manufacturing, wholesaling, and industrial uses compatible with neighborhood commercial business activities. (pp. 49-50)

- Offices:
- a) Financial Offices
Any bank, savings institution, loan company, savings and loan institution, thrift plan, credit union, or any establishment for the custody, loan, exchange, or issue of money; for the extension of credit or for facilitating the transfer of funds; or any financial office as further defined in the United States Code or the California Financial Code. (pp. 43-45)
 - b) Other Offices
Any non-retail commercial establishment where a particular kind of business is transacted, or where medical or professional service is supplied. (pp. 45-46)
- Other Uses: Miscellaneous non-retail commercial uses. (pp. 47-48)
- Parking, Off-Street:
- a) Commercial
Schedule of required off-street parking spaces required for commercial uses. (Code, Article 1.5, Section 151). (p. 18)
 - b) Residential
Schedule of required off-street parking spaces required for residential uses. (Code, Article 1.5, Section 151). (pp. 18-20)
 - c) Institutional
Schedule of required off-street parking spaces required for institutional uses. (Code, Article 1.5, Section 151). (p. 20)
- Rear Yards: 25% of lot depth or at least 15 ft. (pp. 16-18)
- Retail Sales and Personal Services, Other: All miscellaneous retail sales and personal services not detailed in pages 28-41 (e.g. hair salons, furniture stores, etc.). (pp. 41-42)
- Signs: (Code, Article 6). (p. 25)
- Square Footage per Establishment: The total floor area devoted to an individual commercial use. In the case of multiple uses sharing a single lot, common circulation space such as corridors, stairs, and elevators shall not be included in the floor area. (pp. 14-15)

Trade Shops:

Includes custom retail establishments (such as appliance repair, upholstery, sign painting, carpenter, printing, blueprinting, and catering shops). (pp. 39-41)

Vertical Mix:

The mix of residential, retail sales and personal services, and office uses on ground, second, and upper stories of a building. (pp. 26-27)

TABLE B-1. SUMMARY OF PROPOSED CONTROL ALTERNATIVES

Zoning Categories	Control Alternatives
BUILDING ENVELOPE	
Square Footage per Establishment	One of the following: <ul style="list-style-type: none"> 1) Up to 2,500 sq.ft. P 2,501-5,000 sq.ft. C(A) 5,001+ sq.ft. C 2) Up to 5,000 sq.ft. P 5,001-10,000 sq.ft. C(A) 10,001+ sq.ft. C 3) Up to 10,000 sq.ft. P 10,001-25,000 sq.ft. C(A) 25,001+ sq.ft. C
Height Standards	Generally 40 feet; No substantial changes contemplated.
Rear Yards (25% of lot depth, but not less than 15 ft.)	One of the following: <ul style="list-style-type: none"> 1) Required at grade level with no exceptions; no obstruction permitted in yard; open to sky. 2) Required at grade level unless used for enclosed residential parking; required second story and above. 3) Required at grade level unless used for unenclosed residential parking; required second story and above. 4) Required at second story or at lowest residential level and above. 5) Required at lowest floor occupied as a dwelling unit and above.
Open Space	Sec. 135; No changes proposed.
Commercial Off-Street Parking	Sec. 151; No changes proposed.
Residential Off-Street Parking	One of the following: <ul style="list-style-type: none"> 1) One space per unit. 2) One space per 2 units. 3) One space per 3 units. 4) One space per 4 units. 5) No parking up to 2 units. 6) No parking up to 4 units.
Institutional Off-Street Parking	Section 151; No changes proposed.
P = Permitted as a Principal Use	C(A) = Conditional (Abbreviated Procedure)
	C = Conditional (Regular Procedure)
	NP = Not Permitted

TABLE B-1. (Continued)

Zoning Categories	Control Alternatives
BUILDING ENVELOPE (Continued)	
Freight and Loading	Sections 152-155, with proposed amendments.
Building Site and Appearance	
● Rooftop Features	Section 141; as amended.
● Awnings	Always: P, with conditions.
● Gratings, Fire Escapes	Always: P, with conditions.
● Street Trees	Required for all new construction.
● New and Existing Buildings, Landscaped Parking Facilities, and Outdoor Areas	General Guidelines
Drive-Up Facilities	One of the following: 1) NP 2) C(A)
Signs	Article 6; possible changes are under study.

VERTICAL MIX

Individual controls--(P, C(A), C, or NP) would be applied separately to each activity on each level on a street by street basis depending on district needs and conditions. See example below for a sample street.

	Retail	Office	Residential
Ground Story and Below	P	P	P
Second Story	C(A)	P	P
Third Story and Above	NP	C(A)	P

PERMITTED COMMERCIAL USES

Eating and Drinking Establishments One of the following:
 1) C(A)
 2) Up to density threshold: P
 Above density threshold: C(A)
 3) P

Entertainment

● Movie Theater One of the following:
 1) C(A)
 2) P

P = Permitted as a Principal Use C(A) = Conditional (Abbreviated Procedure) C = Conditional (Regular Procedure) NP = Not Permitted

TABLE B-1. (Continued)

Zoning Categories	Control Alternatives
PERMITTED COMMERCIAL USES (Continued)	
Entertainment (Continued)	
<ul style="list-style-type: none"> ● Amusement Entertainment (Night Club, Dance Hall, Place of Entertainment, Recreation Building, Amusement Game Hall, or Establishment with more than 3 amusement devices) 	One of the following: 1) NP 2) C(A) 3) P
<ul style="list-style-type: none"> ● Adult Entertainment (Not less than 1,000 ft. from any other entertainment establishment) 	One of the following: 1) NP 2) C(A) 3) P
Assembly	One of the following: 1) C(A) 2) P
Hotels and Motels	One of the following: 1) NP 2) C(A) 3) P
Animal Services	
<ul style="list-style-type: none"> ● Retail or Clinic with limited overnight accomodations 	One of the following: 1) C(A) 2) P
<ul style="list-style-type: none"> ● Hospital 	One of the following: 1) NP 2) C(A)
<ul style="list-style-type: none"> ● Kennel/Stable 	One of the following: 1) NP 2) C(A)
Automotive	
<ul style="list-style-type: none"> ● Gas only ● Gas and Accessory ● Mechanical Repair and Auto Body Repair ● Tire Recapping ● Auto Wash ● Sale, Enclosed ● Sale, Open Lot ● Parking Garage or Lot ● Parcel Delivery 	One of the following applied to each sub-category: 1) NP 2) C(A) 3) P

P = Permitted as a Principal Use
 C(A) = Conditional (Abbreviated Procedure)
 C = Conditional (Regular Procedure)
 NP = Not Permitted

TABLE B-1. (Continued)

Zoning Categories	Control Alternatives
PERMITTED COMMERCIAL USES (Continued)	
Laundrying & Cleaning	
● Automatic	Always: P
● Off-Site Cleaning	Always: P
● On-Site Cleaning	One of the following: 1) C(A) 2) P
<hr/>	
Trade Shops	
● Carpentry, Upholstery, Sign Painting, Repair	One of the following: 2) C(A) 2) P
<hr/>	
Other Retail Sales and Services	Always: P
<hr/>	
PERMITTED OFFICES	
Financial Offices	One of the following: 1) NP 2) C(A) 3) P
<hr/>	
Other Offices	One of the following: 1) C(A) 2) P
<hr/>	
PERMITTED OTHER USES	
● Nursery	One of the following applied to each sub-category: 1) NP 2) C(A) 3) C 4) P
● Truck Gardening	
● Mortuary	
● Public Structure	
● Utility Installation	
● Public Transportation Facility	
● Wireless Transmission Facility	
<hr/>	
PERMITTED WHOLESALING AND MANUFACTURING	
● Household Storage	One of the following: 1) NP 2) C(A) 3) P
● Wholesaling Establishment; Storage Warehouse; Junk Yard	One of the following: 1) NP 2) C(A)

P = Permitted as a Principal Use C(A) = Conditional (Abbreviated Procedure) C = Conditional (Regular Procedure) NP = Not Permitted

TABLE 8-1. (Continued)

Zoning Categories	Control Alternatives		
PERMITTED WHOLESALING AND MANUFACTURING (Continued)			
<ul style="list-style-type: none"> ● Household Storage ● Light Manufacturing; Light Food Processing; Industrial Research Lab; Battery Manufacturing 	One of the following applied to each sub-category: 1) NP 2) C(A)		
PERMITTED HOUSING			
Dwelling Density	One of the following: 1) One unit per 800 sq.ft. of lot area. 2) One unit per 600 sq.ft. of lot area. 3) One unit per 400 sq.ft. of lot area. 4) One unit per 200 sq.ft. of lot area.		
Other Housing			
<ul style="list-style-type: none"> ● Group Housing ● Residential Hotel 	One of the following applied to each sub-category: 1) NP 2) C(A) 3) P		
PERMITTED INSTITUTIONS			
<ul style="list-style-type: none"> ● Hospital; Medical Center ● Clinic-Outpatient ● Child-Care Facility; Elementary School ● Secondary & Post-Secondary School ● Church and Philanthropic Society 	One of the following applied to each category: 1) NP 2) C(A) 3) C 4) P		
P = Permitted as a Principal Use	C(A) = Conditional (Abbreviated Procedure)	C = Conditional (Regular Procedure)	NP = Not Permitted

TABLE B-2. CURRENT C-1, C-2, CM, RC, AND SUD CONTROLS

Zoning Category	Current C-1, C-2, and CM Controls	Current RC Controls	Current Special Use Overlay District Controls
BUILDING ENVELOPE			
Square Footage per Establishment	Not addressed.	Not addressed.	S.U.D. controls floor area and linear frontage, applied in 10 districts.
Height Standards	Generally 40 ft.	Generally 40 ft.	Same as base district (C-2, CM, or RC).
Rear Yards (25% of lot depth, but not less than 15 ft.)	Sec. 134. C-1, C-2, & CM districts require rear yards only at levels of residential occupancy and above.	Sec. 134. RC-1 districts require rear yards at all levels. RC-2 districts require rear yards only at levels of residential occupancy (same as C-2 controls).	Same as base district (C-2, CM, or RC).
Open Space	Sec. 135.	Sec. 135.	Same as base district (C-2, CM, or RC).
Commercial Off-Street Parking	Section 151. Range of spaces required depending on type of commercial use and total occupied floor area.	Section 151. Range of spaces required depending on type of commercial use and total occupied floor area.	Same as base district (C-2, CM, or RC).
Residential Off-Street Parking	Section 151. One space per unit.	Section 151. One space per unit.	Same as base district (C-2, CM, or RC).

TABLE B-2. (Continued)

Zoning Category	Current C-1, C-2, and CM Controls	Current RC Controls	Current Special Use Overlay District Controls
BUILDING ENVELOPE (Continued)			
Institutional Off-Street Parking	Section 151. Range of spaces required depending on type of institutional use.	Section 151. Range of spaces required depending on type of institutional use.	Same as base district (C-2, CM, or RC).
Freight and Loading	Sec. 152.	Sec. 152.	Sec. 152.
Drive-Up Facilities	Not addressed except for Transportation Guidelines.	NP by definition of an RC district.	NP or P by Special Use review in 10 S.U.D.s.
Building Site and Appearance			
● Rooftop Features	Sec. 141.	Sec. 141.	
● Awnings	P	RC-1 - NP RC-2 - NP	Same as base district (C-2, CM, or RC).
● Gratings and Fire Escapes	Not addressed, except for discretionary review of individual building applications.	Not addressed, except for discretionary review of individual building applications.	Same as base district (C-2, CM, or RC).
● Street Trees	Not addressed.	Not addressed.	Not addressed.
● New and Existing Buildings, Land-scaped Parking Facilities, and Outdoor Areas	Not addressed, except for discretionary review of individual building applications.	Not addressed, except for discretionary review of individual building applications.	Design guidelines for review of all new and existing buildings, landscaped parking facilities, and outdoor areas adopted by 10 S.U.D.s.
Signs	Article 6.	Article 6.	Article 6.

TABLE B-2. (Continued)

Zoning Category	Current C-1, C-2, and CM Controls			Current RC Controls			Current Special Use Overlay District Controls
	Retail	Office	Resid.	Retail	Office	Resid.	
VERTICAL MIX							
Ground Story & Below	P	P	P	P	P	P	Individual controls, NP, SU, or P applied to separately to each activity on each level in 10 S.U.D.s.
Second Story	P	P	P	C	C	P	
Third Story & Above	P	P	P	C	C	P	
<p>*Note: RC requires conditional review for all upper story commercial uses affecting all permitted use categories.</p>							
PERMITTED COMMERCIAL USES							
Eating and Drinking Establishments	Not addressed, except by Discretionary Review or requests for moratoria and special use district overlays.			Not addressed, except by Discretionary review or requests for moratoria or special use district overlays.			S.U.D.s establish individual thresholds for bars, restaurants, fast food outlets, and off-sale liquor stores with special review above thresholds in 10 districts.
Entertainment ● Movie Theater	C-1 - NP C-2 - P CM - P			RC-1 - NP RC-2 - P			Same as base district (C-2, CM, or RC).

TABLE B-2. (Continued)

Zoning Category	Current C-1, C-2, and CM Controls	Current RC Controls	Current Special Use Overlay District Controls
PERMITTED COMMERCIAL USES (Continued)			
Entertainment (Continued)			
● Amusement	C-1 - NP	RC-1 - NP	Requires SU permit for Dance Halls and Places of Entertainment; other uses not addressed.
Entertainment (Night Club, Dance Hall, Place of Entertainment, Recreation Building, Amusement Game Halls (Establishments with more than three amusement devices)	C-2 - P CM - P	RC-2 - P	
● Adult Entertainment (Not less than 1,000 feet from any other Adult Entertainment Establishment)	P	P	Same as base district (C-2, CM, or RC).
Assembly			
● Club House, Meeting Hall, Private non-commercial open space	P	P	Same as base district (C-2, CM, or RC).
Hotels and Motels			
● Hotels	C-1/C-2/CM - P	RC-1/RC-2 - P with 5 or less rooms C with 5+ rooms	Hotels and Motels grouped together. NP in 1 district. SU in 9 districts.

TABLE B-2. (Continued)

Zoning Category	Current C-1, C-2, and CM Controls	Current RC Controls	Current Special Use Overlay District Controls
PERMITTED COMMERCIAL USES (Continued)			
Hotels and Motels (Continued)			
• Motels	C-1 - P if within 200 ft. of major thoroughfare. C-2/CM - P	RC-1 - P if within 200 ft. of major thoroughfare. RC-2 - P	
Animal Services			
• Retail or Clinic with limited overnight accommodations.	Not addressed.	Not addressed.	Same as base district (C-2, CM, or RC).
• Hospital	C-1 - NP C-2 - C CM - P	NP	Same as base district (C-2, CM, or RC).
• Kennel/Stable	C-1 - NP C-2 - NP CM - P	NP	Same as base district (C-2, CM, or RC).
Automotive			
• Gas only	Sec. 223, similar controls; more sub-categories.	Sec. 223 & 209, generally prohibits auto-oriented uses.	Same as base district (C-2, CM, or RC).
• Gas; Accessory	Minor Repair and Services		
• Mechanical and Auto Body Repair			
• Tire Recapping			
• Auto Wash			
• Sale, Enclosed			
• Sale, Open			
• Parking Garage or Lot			
• Parcel Delivery			

TABLE B-2. (Continued)

Zoning Category	Current C-1, C-2, and CM Controls	Current RC Controls	Current Special Use Overlay District Controls
PERMITTED COMMERCIAL USES (Continued)			
Laundry	Sec. 220, generally similar; more sub-categories.	Sec. 220, Sec. 209.8, generally similar; more sub-categories.	
<ul style="list-style-type: none"> ● Automatic ● Off-Site Cleaning ● On-Site Cleaning 			
Trade Shops	Sec. 222.	Sec. 222.	Same as base district (C-2, CM, or RC).
<ul style="list-style-type: none"> ● Carpentry, Upholstery, Sign Painting, and Repair 	C-1 - NP C-2/CM - P	NP	
Other Retail	Sec. 218. C-1 prohibits sale of used goods, limits service area to immediate vicinity.	Sec. 209.8. RC-1 similar to C-1, except prohibits establishments designed for customers arriving by auto.	Same as base district (C-2, CM, or RC).
	C-2 - P	RC-2 similar to C-2, with same exception as stated above in RC-1.	
PERMITTED OFFICES			
Financial Offices	Sec. 219. Permits financial offices (business offices) as permitted uses, except as regulated by guidelines, or discretionary review, or requests for moratoria S.U.D.s.	Sec. 219. Permits financial offices as set forth in C-1 & C-2, except as regulated by guidelines, discretionary review, or requests for moratoria or S.U.D.s.	S.U.D.s establish density thresholds for financial offices with special use review in 10 districts.

TABLE B-2. (Continued)

Zoning Category	Current C-1, C-2, and CM Controls	Current RC Controls	Current Special Use Overlay District Controls
PERMITTED OFFICES (Continued)			
Other Offices	Sec. 219. Offices - P	Sec. 219. Offices - P if on ground floor.	Same as base district, (C-2, CM, or RC) except for vertical mix component.
PERMITTED WHOLESALING AND MANUFACTURING			
<ul style="list-style-type: none"> ● Household Storage ● Wholesaling Establishments; Storage Warehouse; Junk Yard; ● Light manufacturing ● Light food processing; Industrial Research Lab; Battery Manufacturing 	Sec. 225, 226. C-1/C-2 - NP CM - P	Sec. 225, 226. NP	Same as base district (C-2, CM, or RC).
PERMITTED HOUSING			
Dwelling Density	Sec. 215. Dwelling at a density not exceeding the number of dwelling units permitted in the nearest R district; provided maximum density in C-1 & C-2 is not less than RM-1 and maximum density in CM not less than RM-4.	Sec. 209.1. RC-1 - 1 unit/800 sq.ft. RC-2 - 1 unit/600 sq.ft.	Same as base district (C-2, CM, or RC).

TABLE B-2. (Continued)

Zoning Category	Current C-1, C-2, and CM Controls	Current RC Controls	Current Special Use Overlay District Controls
PERMITTED HOUSING (Continued)			
Other Housing	Sec. 215. P	Sec. 209.2. P	Same as base district (C-2, CM, or RC).
● Group housing			
● Residential hotels			
PERMITTED INSTITUTIONS			
Hospital	P, except for hospitals which are always C.	Generally C in all RC districts.	Same as base district (C-2, CM, or RC).
School			
Church			

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